

By Mr. MEEKS of New York (for himself, Mr. CONYERS, and Mr. JACKSON of Illinois):

H. Res. 591. A resolution expressing the sense of the House of Representatives that the Supreme Court of the United States should improve its employment practices with regard to hiring more qualified minority applicants to serve as clerks to the Justices; to the Committee on the Judiciary.

¶106.66 PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of Rule XXII, private bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. ORTIZ:

H.R. 4783. A bill to authorize the Secretary of Transportation to issue a certificate of documentation with appropriate endorsement for employment in the coastwise trade for the vessel GRIEFSWALD; to the Committee on Transportation and Infrastructure.

By Mr. YATES:

H.R. 4784. A bill for the relief of Marin Turcinovic, and his fiancée, Corina Dechalup; to the Committee on the Judiciary.

¶106.67 ADDITIONAL SPONSORS

Under clause 4 of rule XXII, sponsors were added to public bills and resolutions as follows:

H.R. 23: Mr. PRICE of North Carolina, Mr. STUPAK, Ms. LEE, Mr. COYNE, Mr. MURTHA, and Mr. VENTO.

H.R. 44: Ms. ROS-LEHTINEN.

H.R. 167: Ms. ROS-LEHTINEN.

H.R. 168: Ms. ROS-LEHTINEN.

H.R. 371: Mr. DELAHUNT, Mr. CONYERS, Mr. SOUDER, and Mrs. BONO.

H.R. 616: Mr. SHERMAN.

H.R. 836: Mr. SHAYS and Ms. MCCARTHY of Missouri.

H.R. 900: Mr. BECERRA, Mr. WATT of North Carolina, Ms. MCCARTHY of Missouri, and Mr. THOMPSON.

H.R. 1059: Mr. HILL.

H.R. 1073: Ms. ROS-LEHTINEN.

H.R. 1111: Mr. DRIER and Mr. HALL of Ohio.

H.R. 1126: Mr. STRICKLAND.

H.R. 1232: Mr. KLECZKA and Mr. ABERCROMBIE.

H.R. 1261: Mr. PETERSON of Minnesota.

H.R. 1354: Mr. LANTOS and Mr. GEJDENSON.

H.R. 1401: Mr. ACKERMAN.

H.R. 2009: Mr. ROEMER.

H.R. 2273: Mr. JENKINS.

H.R. 2397: Mr. WISE and Mr. BLAGOJEVICH.

H.R. 2465: Mr. LIPINSKI.

H.R. 2524: Mrs. CAPPS.

H.R. 2560: Mr. HASTERT, Mr. GALLEGLY, and Mr. MURTHA.

H.R. 2635: Mr. MINGE and Mr. JOHNSON of Wisconsin.

H.R. 2715: Mr. NEY and Mr. INGLIS of South Carolina.

H.R. 2733: Mr. CUMMINGS.

H.R. 2908: Mr. HOEKSTRA.

H.R. 2938: Mr. VISLOSKEY.

H.R. 2950: Mr. BURTON of Indiana.

H.R. 3008: Mr. GILLMOR.

H.R. 3033: Mr. DEUTSCH.

H.R. 3279: Mr. DEFazio.

H.R. 3514: Mr. BLUMENAUER, Mr. RODRIGUEZ, and Mr. LEVIN.

H.R. 3572: Mr. BUYER.

H.R. 3637: Mr. FATTAH.

H.R. 3702: Mr. STRICKLAND.

H.R. 3720: Mr. HOSTETTLER, Mr. ADERHOLT, Mr. NORWOOD, and Mr. CALVERT.

H.R. 3766: Mr. LEWIS of Kentucky and Mr. BLUMENAUER.

H.R. 3779: Mr. BOB SCHAFFER, Mr. DEUTSCH, Mr. SAWYER, and Mrs. WILSON.

H.R. 3794: Mr. BLUMENAUER.

H.R. 3833: Mr. UNDERWOOD.

H.R. 3879: Mr. EWING.

H.R. 3946: Mr. DOYLE, Ms. SANCHEZ, and Mrs. CAPPS.

H.R. 3949: Mr. THOMAS and Mr. DICKEY.

H.R. 3956: Ms. BROWN of Florida and Mr. ABERCROMBIE.

H.R. 4019: Mr. SPRATT and Mr. DOYLE.

H.R. 4035: Mr. HILL, Mr. MOAKLEY, Mr. BUNNING of Kentucky, Mr. CHAMBLISS, Ms. ROYBAL-ALLARD, Mr. PALLONE, Mr. GEJDENSON, Mr. BLUNT, Mr. MASCARA, Mr. POSHARD, and Mrs. NORTHUP.

H.R. 4036: Mr. HILL, Mr. BAKER, Mr. MOAKLEY, Mr. BUNNING of Kentucky, Mr. CHAMBLISS, Ms. ROYBAL-ALLARD, Mr. MARKEY, Mr. PALLONE, Mr. FALCOMA, Mr. GEJDENSON, Mr. DICKS, Mr. BLUNT, Mr. PARKER, Mr. SHAW, Mr. PASCRELL, Mr. MASCARA, Mr. POSHARD, Mr. BORSKI, Mr. WHITFIELD, Mr. SPRATT, Mr. LATOURETTE, Mr. PETERSON of Pennsylvania, Mr. SCARBOROUGH, Mr. DIAZ-BALART, and Ms. MILLENDER-MCDONALD.

H.R. 4126: Mrs. LINDA SMITH of Washington.

H.R. 4127: Mr. SANDERS.

H.R. 4130: Mr. DEFazio.

H.R. 4153: Mr. CAMP.

H.R. 4154: Mr. NORWOOD.

H.R. 4291: Mr. MALONEY of Connecticut.

H.R. 4358: Mr. ROTHMAN.

H.R. 4383: Mr. DEAL of Georgia, Mr. WYNN, and Mr. NORWOOD.

H.R. 4415: Mr. SCARBOROUGH.

H.R. 4449: Mr. JOHNSON of Wisconsin and Mr. HINOJOSA.

H.R. 4467: Mr. BROWN of California, Mr. BONIOR, and Ms. DELAURE.

H.R. 4492: Mr. SANDLIN, Mr. MCHUGH, Mr. METCALF, and Mr. BLUMENAUER.

H.R. 4513: Mr. REDMOND.

H.R. 4545: Mr. PALLONE.

H.R. 4546: Mr. CUNNINGHAM, Mr. MILLER of Florida, Mr. MCCREY, Mr. SNOWBARGER, Mr. STEARNS, Mr. MCINTOSH, Mr. HOEKSTRA, Mr. BOB SCHAFFER, Mr. PORTER, Mr. TALENT, Mr. DEAL of Georgia, Mr. DUNCAN, and Mr. CHAMBLISS.

H.R. 4552: Mrs. MALONEY of New York.

H.R. 4553: Mr. BEREUTER and Mr. BOB SCHAFFER.

H.R. 4581: Mr. OBERSTAR.

H.R. 4628: Mr. FARR of California.

H.R. 4648: Mr. MARKEY, Mr. KENNEDY of Massachusetts, and Mr. MEEHAN.

H.R. 4653: Mr. FILNER, Mr. TRAFICANT, and Mr. HINCHEY.

H.R. 4683: Mr. SANDERS, Mr. SHERMAN, and Ms. SLAUGHTER.

H.R. 4686: Mr. FORD.

H.R. 4709: Mr. YOUNG of Florida.

H.R. 4717: Ms. MCCARTHY of Missouri, Mr. GIBBONS, and Mr. ADERHOLT.

H.R. 4727: Mr. MURTHA, Mr. STUPAK, and Mr. PALLONE.

H.R. 4733: Mr. BENTSEN.

H.R. 4737: Ms. ESHOO.

H. Con. Res. 122: Ms. SLAUGHTER.

H. Con. Res. 229: Ms. GRANGER, Mr. LATOURETTE, and Ms. ROS-LEHTINEN.

H. Con. Res. 274: Mr. GOSS and Ms. ROS-LEHTINEN.

H. Con. Res. 286: Mr. OBERSTAR and Ms. MCKINNEY.

H. Con. Res. 314: Mr. CANADY of Florida.

H. Con. Res. 325: Mr. CONYERS.

H. Con. Res. 328: Ms. SLAUGHTER, Mrs. EMERSON, Mr. CHAMBLISS, Mr. OBEY, Mr. TANNER, Mr. HOEKSTRA, and Mr. BENTSEN.

H. Con. Res. 335: Mrs. MORELLA.

H. Con. Res. 345: Mr. MCCOLLUM, Mr. HEFLEY, Mr. FORBES, Mr. BACHUS, Mr. KNOLLENBERG, Mr. WATTS of Oklahoma, Mr. GREEN, Mr. FOX of Pennsylvania, Mr. GIBBONS, Mr. SCHUMER, Mr. COOK, Mr. SESSIONS, Mr. ADERHOLT, Mr. TALENT, Mr. MILLER of Florida, Mr. HAYWORTH, Mr. SNOWBARGER, Mr. TIAHRT, Mr. ROHRBACHER, Mr. WELDON of Pennsylvania, and Mr. BURTON of Indiana.

H. Res. 406: Mr. HASTINGS of Washington.

H. Res. 483: Mr. SAWYER, Mr. BONIOR, Mr. OWENS, and Mr. MEEKS of New York.

H. Res. 519: Mr. GOODLING.

H. Res. 561: Mr. PORTER.

H. Res. 571: Mr. GRAHAM and Mr. ABERCROMBIE.

SATURDAY, OCTOBER 10, 1998 (107)

¶107.1 DESIGNATION OF SPEAKER PRO TEMPORE

The House was called to order by the SPEAKER pro tempore, Mr. BASS, who laid before the House the following communication:

WASHINGTON, DC,
October 10, 1998.

I hereby designate the Honorable CHARLES F. BASS to act as Speaker pro tempore on this day.

NEWT GINGRICH,
Speaker of the House of Representatives.

¶107.2 APPROVAL OF THE JOURNAL

The SPEAKER pro tempore, Mr. BASS, announced he had examined and approved the Journal of the proceedings of Friday, October 9, 1998.

Pursuant to clause 1, rule I, the Journal was approved.

¶107.3 COMMUNICATIONS

Executive and other communications, pursuant to clause 2, rule XXIV, were referred as follows:

11630. A letter from the Under Secretary of Defense for Acquisition and Technology, Department of Defense, transmitting a report to Congress containing a plan to reduce overhead costs of the supply management activities of the Defense Logistics Agency and the military departments so that the overhead costs for each fiscal year after fiscal year 2000 do not exceed eight percent of net sales at standard price by Inventory Control Points during that year; to the Committee on National Security.

11631. A letter from the General Counsel, Department of Housing and Urban Development, transmitting the Department's final rule—Ginnie Mae MBS Program: Book Entry Securities [Docket No. FR-4331-1-01] received October 8, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Banking and Financial Services.

11632. A letter from the Acting Director, Financial Crimes Enforcement Network, transmitting the Network's final rule—Amendment to the Bank Secrecy Act Regulations—Exemptions from the Requirements to Report Transactions in Currency—Phase II (RIN: 1506-AA12) received September 26, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Banking and Financial Services.

11633. A letter from the Director, Office of Management and Budget, transmitting a report to Congress on appropriations legislation within seven days of enactment; to the Committee on the Budget.

11634. A letter from the Secretary of Education, transmitting Final regulations—Federal Work-Study Programs (RIN: 1840-AC56), pursuant to 5 U.S.C. 801(a)(1)(B); to the Committee on Education and the Workforce.

11635. A letter from the Secretary of Health and Human Services, transmitting a Consolidated Report to Congress on the Community Services Block Grant (CSBG) Program Implementation Assessments (PIAs) for Fiscal Years 1992-1997; to the Committee on Education and the Workforce.

11636. A letter from the Director, Office of Regulatory Management and Information,

Environmental Protection Agency, transmitting the Agency's final rule—Louisiana: Final Authorization of State Hazardous Waste Management Program Revisions [FRL-6176-1] received October 9, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

11637. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Idaho: Final Authorization of State Hazardous Waste Management Program Revision [FRL-6176-7] received October 9, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

11638. A letter from the Director, Defense Security Cooperation Agency, transmitting notification concerning the Department of the Army's Proposed Letter(s) of Offer and Acceptance (LOA) to Taipei for defense articles and services (Transmittal No. 99-02), pursuant to 22 U.S.C. 2776(b); to the Committee on International Relations.

11639. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting a notification that an emergency exists which requires that consent to the proposed transfer, of electronic counter-measure pods, on a temporary basis to the Government of Norway, become effective immediately in the national security interests of the United States; to the Committee on International Relations.

11640. A letter from the Director of Congressional Affairs, Central Intelligence Agency, transmitting a report of activities under the Freedom of Information Act from October 1, 1997 to September 30, 1998, pursuant to 5 U.S.C. 552(d); to the Committee on Government Reform and Oversight.

11641. A letter from the Executive Director, Committee For Purchase From People Who Are Blind Or Severely Disabled, transmitting the Committee's final rule—Procurement List Additions—received October 9, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform and Oversight.

11642. A letter from the Director of Executive Budgeting and Assistance Management, Department of Commerce, transmitting the Department's final rule—Audit Requirements for Institutions of Higher Education and Other Non-Profit Organization [Docket No. 980925248-8248-01] (RIN: 0605-AA12) received October 8, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform and Oversight.

11643. A letter from the Secretary of Transportation, transmitting the Department of Transportation's first annual Performance Plan under the Government Performance and Results Act of 1993; to the Committee on Government Reform and Oversight.

11644. A letter from the Assistant Secretary, Land and Minerals Management, Department of the Interior, transmitting the Department's final rule—Geothermal Resources Leasing and Operations [AA-610-08-4141-02] (RIN: 1004-AB18) received October 10, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

11645. A letter from the Assistant Attorney General, Office of Justice Programs, Department of Justice, transmitting the Department's final rule—Bulletproof Vest Partnership Grant Act of 1998 [OJP (BJA)-1192] (RIN: 1121-AA48) received September 26, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

11646. A letter from the Acting Assistant Attorney General, Department of Justice, transmitting a draft of proposed legislation to amend section 879 of title 18, United States Code, to provide clearer coverage over threats against former Presidents, members of their families, and for other purposes; to the Committee on the Judiciary.

11647. A letter from the Secretary of Transportation, transmitting a report with rec-

ommendations on the feasibility and environmental benefits of requiring tank vessels to carry oil spill prevention and response equipment; to the Committee on Transportation and Infrastructure.

11648. A letter from the Secretary of Labor and Chairman of the Board, Pension Benefit Guaranty Corporation, transmitting the 23rd Annual Report of the Corporation, which includes the Corporation's financial statements as of September 30, 1997, pursuant to 29 U.S.C. 1308; jointly to the Committees on Education and the Workforce and Ways and Means.

11649. A letter from the Administrator, Department of Health and Human Services, transmitting a report on the agencies plan for achieving a drug-free workplace, pursuant to Public Law 102-321, 101(a) (106 Stat. 327); jointly to the Committees on Government Reform and Oversight and Appropriations.

11650. A letter from the Secretary of Health and Human Services, transmitting the Department's final rule—Medicare Program; Hospice Wage Index [HCFA-1039-N] (RIN: 0938-A187) received October 2, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); jointly to the Committees on Ways and Means and Commerce.

¶107.4 MESSAGE FROM THE SENATE

A message from the Senate by Mr. Lundregan, one of its clerks, announced that the Senate had passed without amendment bills and a joint resolution of the House of the following titles:

H.R. 624. An Act to amend the Armored Car Industry Reciprocity Act of 1993 to clarify certain requirements and to improve the flow of interstate commerce.

H.R. 1021. An Act to provide for a land exchange involving certain National Forest System lands within the Routt National Forest in the State of Colorado.

H.R. 3069. An Act to extend the Advisory Council on California Indian Policy to allow the Advisory Council to advise Congress on the implementation of the proposals and recommendations of the Advisory Council.

H.R. 3830. An Act to provide for the exchange of certain lands within the State of Utah.

H.R. 4337. An Act to authorize the Secretary of the Interior to provide financial assistance to the State of Maryland for a pilot program to develop measures to eradicate or control nutria and restore marshland damaged by nutria.

H.R. 4679. An Act to amend the Federal Food, Drug, and Cosmetic Act to clarify the circumstances in which a substance is considered to be a pesticide chemical for purposes of such act, and for other purposes.

H.J. Res. 131. Joint resolution waiving certain enrollment requirements for the remainder of the One Hundred Fifth Congress with respect to any bill or joint resolution making general or continuing appropriations for fiscal year 1999.

The message also announced that the Senate had passed with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 3494. An Act to amend title 18, United States Code, with respect to violent sex crimes against children, and for other purposes.

The message also announced that the Senate had passed bills and concurrent resolutions of the following titles in which the concurrence of the House is requested:

S. 1752. An Act to authorize the Secretary of Agriculture to convey certain administrative sites and use the proceeds for the acquisition of office sites and the acquisition, construction, or improvement of offices and support buildings for the Coconino National Forest, Kaibab National Forest, Prescott National Forest, and Tonto National Forest in the State of Arizona.

S. 2087. An Act to authorize the Secretary of the Interior to convey certain works, facilities, and titles of the Gila Project, and designated lands within or adjacent to the Gila Project, to the Wellton-Mohawk Irrigation and Drainage District, and for other purposes.

S. 2131. An Act to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes.

S. 2133. An Act to preserve the cultural resources of the Route 66 corridor and to authorize the Secretary of the Interior to provide assistance.

S. 2401. An Act to authorize the addition of the Paoli Battlefield site in Malvern, Pennsylvania, to Valley Forge National Historical Park.

S. 2402. An Act to direct the Secretaries of Agriculture and Interior to convey certain lands in San Juan County, New Mexico, to San Juan College.

S. 2413. An Act prohibiting the conveyance of Woodland Lake Park tract in Apache-Sitgreaves National Forest in the State of Arizona unless the conveyance is made to the town of Pinetop-Lakeside or is authorized by act of Congress.

S. 2458. An Act to amend the Act entitled "An Act to provide for the creation of the Morristown National Historical Park in the State of New Jersey, and for other purposes" to authorize the acquisition of property known as the "Warren Property".

S. 2500. An Act to protect the sanctity of contracts and leases entered into by surface patent holders with respect to coalbed methane gas.

S. 2513. An Act to transfer administrative jurisdiction over certain Federal land located within or adjacent to Rogue River National Forest and to clarify the authority of the Bureau of Land Management to sell and exchange other Federal land in Oregon.

S. Con. Res. 83. Concurrent resolution remembering the life of George Washington and his contributions to the Nation.

S. Con. Res. 119. Concurrent resolution recognizing the 50th anniversary of the American Red Cross Blood Services.

¶107.5 SUSPENSION OF THE RULES NOTICE

Mr. DREIER, pursuant to House Resolution 575, at 10:02 a.m. announced the Speaker would recognize Members for motions to suspend the rules under clause 2 of rule XXVII with respect to the following bills to be considered today: S. 1677, to reauthorize the North American Wetlands Conservation Act and the Partnerships for Wildlife Act; H.R. 3046, to provide for financial assistance for higher education to the dependents of Federal, State, and local public safety officers who are killed or permanently and totally disabled as the result of a traumatic injury sustained in the line of duty; and H.R. 3055, to deem the activities of the Miccosukee Tribe on the Tamiami Indian Reservation to be consistent with the purposes of the Everglades National Park, and for other purposes.

¶107.6 WAIVING A REQUIREMENT OF
CLAUSE 4(B) OF RULE XI

Mr. SOLOMON, by direction of the Committee on Rules, called up the following resolution (H. Res. 589):

Resolved, That the requirement of clause 4(b) of rule XI for a two-thirds vote to consider a report from the Committee on Rules on the same day it is presented to the House is waived with respect to any resolution reported from that committee for the remainder of the second session of the One Hundred Fifth Congress providing for consideration or disposition of any of the following:

(1) A bill or joint resolution making general appropriations for the fiscal year ending September 30, 1999, any amendment thereto, any conference report thereon, or any amendment reported in disagreement from a conference thereon.

(2) A bill or joint resolution that includes provisions making continuing appropriations for fiscal year 1999, any amendment thereto, any conference report thereon, or any amendment reported in disagreement from a conference thereon.

SEC. 2. It shall be in order at any time for the remainder of the second session of the One Hundred Fifth Congress for the Speaker to entertain motions to suspend the rules, provided that the object of any such motion is announced from the floor at least two hours before the motion is offered. In scheduling the consideration of legislation under this authority, the Speaker or his designee shall consult with the Minority Leader or his designee.

When said resolution was considered. After debate,

Mr. DREIER moved the previous question on the resolution to its adoption or rejection.

The question being put, viva voce,

Will the House now order the previous question?

The SPEAKER pro tempore, Mr. BASS, announced that the yeas had it. Mr. MOAKLEY demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. BASS, pursuant to clause 5, rule I, announced that further proceedings on the motion were postponed.

¶107.7 PROVIDING FOR THE
CONSIDERATION OF H.R. 4761

Mr. DREIER, by direction of the Committee on Rules, called up the following resolution (H. Res. 588):

Resolved, That upon the adoption of this resolution it shall be in order without intervention of any point of order to consider in the House the bill (H.R. 4761) to require the United States Trade Representative to take certain actions in response to the failure of the European Union to comply with the rulings of the World Trade Organization. The bill shall be considered as read for amendment. The previous question shall be considered as ordered on the bill to final passage without intervening motion except: (1) one hour of debate on the bill equally divided and controlled by the chairman and ranking minority member of the Committee on Ways and Means; and (2) one motion to recommit.

When said resolution was considered. After debate,

On motion of Mr. DREIER, the previous question was ordered on the resolution to its adoption or rejection.

The question being put, viva voce, Will the House agree to said resolution?

The SPEAKER pro tempore, Mr. CALVERT, announced that the yeas had it.

Mr. MOAKLEY demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. CALVERT, pursuant to clause 5, rule I, announced that further proceedings on the motion were postponed.

¶107.8 AGREEING TO THE AMENDMENT OF
THE SENATE WITH AMENDMENTS TO
H.R. 4110

Mr. STUMP moved to suspend the rules and agree to the following resolution (H. Res. 592):

Resolved, That upon the adoption of this resolution the House shall be considered to have taken from the Speaker's table the bill H.R. 4110, with the amendment of the Senate thereto, and to have concurred in the amendment of the Senate with the following amendments:

(1) Amend the title so as to read: "An Act to amend title 38, United States Code, to improve benefits and services provided to Persian Gulf War veterans, to provide a cost-of-living adjustment in rates of compensation paid to veterans with service-connected disabilities, to enhance programs providing health care, compensation, education, insurance, and other benefits for veterans, and for other purposes.

(2) In lieu of the matter proposed to be inserted by the amendment of the Senate, insert the following:

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the "Veterans Programs Enhancement Act of 1998".

(b) TABLE OF CONTENTS.—The table of contents of this Act is as follows:

Sec. 1. Short title; table of contents.

Sec. 2. References to title 38, United States code.

TITLE I—PROVISIONS RELATING TO VETERANS OF PERSIAN GULF WAR AND FUTURE CONFLICTS

Sec. 101. Agreement with National Academy of Sciences regarding evaluation of health consequences of service in Southwest Asia during the Persian Gulf War.

Sec. 102. Health care for veterans of Persian Gulf War and future conflicts.

Sec. 103. National center on war-related illnesses and post-deployment health issues.

Sec. 104. Coordination of activities.

Sec. 105. Improving effectiveness of care of Persian Gulf War veterans.

Sec. 106. Contract for independent recommendations on research and for development of curriculum on care of Persian Gulf War veterans.

Sec. 107. Extension and improvement of evaluation of health status of spouses and children of Persian Gulf War veterans.

TITLE II—EDUCATION AND EMPLOYMENT

Subtitle A—Education Matters

Sec. 201. Calculation of reporting fee based on total veteran enrollment during a calendar year.

Sec. 202. Election of advance payment of work-study allowance.

Sec. 203. Alternative to twelve semester hour equivalency requirement.

Sec. 204. Medical evidence for flight training requirements.

Sec. 205. Waiver of wage increase and minimum payment rate requirements for government job training program approval.

Sec. 206. Expansion of education outreach services.

Sec. 207. Information on minimum requirements for education benefits for members of the Armed Forces discharged early from duty for the convenience of the Government.

Subtitle B—Uniformed Services Employment and Reemployment Rights Act Amendments

Sec. 211. Enforcement of rights with respect to a State as an employer.

Sec. 212. Protection of extraterritorial employment and reemployment rights of members of the uniformed services.

Sec. 213. Complaints relating to reemployment of members of the uniformed services in Federal service.

TITLE III—COMPENSATION, PENSION, AND INSURANCE

Sec. 301. Medal of Honor special pension.

Sec. 302. Accelerated death benefit for Servicemembers' Group Life Insurance and Veterans' Group Life Insurance participants.

Sec. 303. Assessment of effectiveness of insurance and survivor benefits programs for survivors of veterans with service-connected disabilities.

Sec. 304. National Service Life Insurance program.

TITLE IV—MEMORIAL AFFAIRS

Sec. 401. Commemoration of individuals whose remains are unavailable for interment.

Sec. 402. Merchant mariner burial and cemetery benefits.

Sec. 403. Redesignation of National Cemetery System and establishment of Under Secretary for Memorial Affairs.

Sec. 404. State cemetery grants program.

TITLE V—COURT OF VETERANS APPEALS

Subtitle A—Administrative Provisions Relating to the Court

Sec. 501. Continuation in office of judges pending confirmation for second term.

Sec. 502. Exemption of retirement fund from sequestration orders.

Sec. 503. Adjustments for survivor annuities.

Sec. 504. Reports on retirement program modifications.

Subtitle B—Renaming of Court

Sec. 511. Renaming of the Court of Veterans Appeals.

Sec. 512. Conforming amendments.

Sec. 513. Effective date.

TITLE VI—HOUSING

Sec. 601. Loan guarantee for multifamily transitional housing for homeless veterans.

Sec. 602. Veterans housing benefit program fund account consolidation.

Sec. 603. Extension of eligibility of members of Selected Reserve for veterans housing loans.

Sec. 604. Applicability of procurement law to certain contracts of department of veterans affairs.

TITLE VII—CONSTRUCTION AND FACILITIES MATTERS

Sec. 701. Authorization of major medical facility projects.

- Sec. 702. Authorization of major medical facility leases.
- Sec. 703. Authorization of appropriations.
- Sec. 704. Increase in threshold for major medical facility leases for purposes of congressional authorization.
- Sec. 705. Threshold for treatment of parking facility project as a major medical facility project.
- Sec. 706. Parking fees.
- Sec. 707. Master plan regarding use of Department of Veterans Affairs lands at West Los Angeles Medical Center, California.
- Sec. 708. Designation of Department of Veterans Affairs Medical Center, Aspinwall, Pennsylvania.
- Sec. 709. Designation of Department of Veterans Affairs Medical Center, Gainesville, Florida.
- Sec. 710. Designation of Department of Veterans Affairs outpatient clinic, Columbus, Ohio.

TITLE VIII—HEALTH PROFESSIONALS EDUCATIONAL ASSISTANCE

- Sec. 801. Short title.
- Sec. 802. Scholarship program for Department of Veterans Affairs employees receiving education or training in the health professions.
- Sec. 803. Education debt reduction program for Veterans Health Administration health professionals.
- Sec. 804. Repeal of prohibition on payment of tuition loans.
- Sec. 805. Conforming amendments.
- Sec. 806. Coordination with appropriations provision.

TITLE IX—MISCELLANEOUS MEDICAL CARE AND MEDICAL ADMINISTRATION PROVISIONS

- Sec. 901. Examinations and care associated with certain radiation treatment.
- Sec. 902. Extension of authority to counsel and treat veterans for sexual trauma.
- Sec. 903. Management of specialized treatment and rehabilitative programs.
- Sec. 904. Authority to use for operating expenses of Department of Veterans Affairs medical facilities amounts available by reason of the limitation on pension for veterans receiving nursing home care.
- Sec. 905. Report on nurse locality pay.
- Sec. 906. Annual report on program and expenditures of Department of Veterans Affairs for domestic response to weapons of mass destruction.
- Sec. 907. Interim appointment of Under Secretary for Health.

TITLE X—OTHER MATTERS

- Sec. 1001. Requirement for naming of Department property.
- Sec. 1002. Members of the Board of Veterans' Appeals.
- Sec. 1003. Flexibility in docketing and hearing of appeals by Board of Veterans' Appeals.
- Sec. 1004. Disabled veterans outreach program specialists.
- Sec. 1005. Technical amendments.

TITLE XI—COMPENSATION COST-OF-LIVING ADJUSTMENT

- Sec. 1101. Increase in rates of disability compensation and dependency and indemnity compensation.
- Sec. 1102. Publication of adjusted rates.

SEC. 2. REFERENCES TO TITLE 38, UNITED STATES CODE.

Except as otherwise expressly provided, whenever in this Act an amendment or re-

peal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of title 38, United States Code.

TITLE I—PROVISIONS RELATING TO VETERANS OF PERSIAN GULF WAR AND FUTURE CONFLICTS

SEC. 101. AGREEMENT WITH NATIONAL ACADEMY OF SCIENCES REGARDING EVALUATION OF HEALTH CONSEQUENCES OF SERVICE IN SOUTHWEST ASIA DURING THE PERSIAN GULF WAR.

(a) PURPOSE.—The purpose of this section is to provide for the National Academy of Sciences, an independent nonprofit scientific organization with appropriate expertise which is not a part of the Federal Government, to review and evaluate the available scientific evidence regarding associations between illness and service in the Persian Gulf War.

(b) AGREEMENT.—(1) The Secretary of Veterans Affairs shall seek to enter into an agreement with the National Academy of Sciences for the Academy to perform the activities covered by this section. The Secretary shall seek to enter into the agreement not later than two months after the date of the enactment of this Act.

(2)(A) If the Secretary is unable within the time period set forth in paragraph (1) to enter into an agreement with the Academy for the purposes of this section on terms acceptable to the Secretary, the Secretary shall seek to enter into an agreement for purposes of this section with another appropriate scientific organization that is not part of the Government, operates as a not-for-profit entity, and has expertise and objectivity comparable to that of the Academy.

(B) If the Secretary enters into an agreement with another organization under this paragraph, any reference in this section to the National Academy of Sciences shall be treated as a reference to such other organization.

(c) REVIEW OF SCIENTIFIC EVIDENCE.—(1) Under the agreement under subsection (b), the National Academy of Sciences shall conduct a comprehensive review and evaluation of the available scientific and medical information regarding the health status of Gulf War veterans and the health consequences of exposures to risk factors during service in the Persian Gulf War. In conducting such review and evaluation, the Academy shall—

(A) identify the biological, chemical, or other toxic agents, environmental or wartime hazards, or preventive medicines or vaccines (including the agents specified in subsection (d)(1)) to which members of the Armed Forces who served in the Southwest Asia theater of operations during the Persian Gulf War may have been exposed by reason of such service;

(B) identify the illnesses associated with the agents, hazards, or medicines or vaccines identified under subparagraph (A); and

(C) identify the illnesses (including diagnosed illnesses and undiagnosed illnesses) for which there is scientific evidence of a higher prevalence among populations of Gulf War veterans when compared with other appropriate populations of individuals.

(2) In identifying illnesses under subparagraphs (B) and (C) of paragraph (1), the Academy shall review and summarize the relevant scientific evidence regarding illnesses, including symptoms, adverse reproductive health outcomes, and mortality, among the members described in paragraph (1)(A) and among other appropriate populations of individuals.

(3) In conducting the review and evaluation under paragraph (1), the Academy shall, for each illness identified under subparagraph (B) or (C) of that paragraph, assess the la-

tency period, if any, between service or exposure to any potential risk factor (including an agent, hazard, or medicine or vaccine identified under subparagraph (A) of that paragraph) and the manifestation of such illness.

(d) SPECIFIED AGENTS.—(1) In identifying under subsection (c)(1)(A) the agents, hazards, or preventive medicines or vaccines to which members of the Armed Forces may have been exposed, the National Academy of Sciences shall consider the following:

(A) The following organophosphorous pesticides:

- (i) Chlorpyrifos.
- (ii) Diazinon.
- (iii) Dichlorvos.
- (iv) Malathion.

(B) The following carbamate pesticides:

- (i) Proxpur.
- (ii) Carbaryl.
- (iii) Methomyl.

(C) The carbamate pyridostigmine bromide used as nerve agent prophylaxis.

(D) The following chlorinated hydrocarbons and other pesticides and repellents:

- (i) Lindane.
- (ii) Pyrethrins.
- (iii) Permethrins.
- (iv) Rodenticides (bait).
- (v) Repellent (DEET).

(E) The following low-level nerve agents and precursor compounds at exposure levels below those which produce immediately apparent incapacitating symptoms:

- (i) Sarin.
- (ii) Tabun.

(F) The following synthetic chemical compounds:

(i) Mustard agents at levels below those which cause immediate blistering.

- (ii) Volatile organic compounds.
- (iii) Hydrazine.
- (iv) Red fuming nitric acid.
- (v) Solvents.

(G) The following sources of radiation:

- (i) Depleted uranium.
- (ii) Microwave radiation.
- (iii) Radio frequency radiation.

(H) The following environmental particulates and pollutants:

- (i) Hydrogen sulfide.
- (ii) Oil fire byproducts.
- (iii) Diesel heater fumes.
- (iv) Sand micro-particles.

(I) Diseases endemic to the region (including the following):

- (i) Leishmaniasis.
- (ii) Sandfly fever.
- (iii) Pathogenic escherichia coli.
- (iv) Shigellosis.

(J) Time compressed administration of multiple live, 'attenuated', and toxoid vaccines.

(2) The consideration of agents, hazards, and medicines and vaccines under paragraph (1) shall not preclude the Academy from identifying other agents, hazards, or medicines or vaccines to which members of the Armed Forces may have been exposed for purposes of any report under subsection (h).

(3) Not later than six months after entry into the agreement under subsection (b), the Academy shall submit to the Committees on Veterans' Affairs of the Senate and the House of Representatives a report specifying the agents, hazards, and medicines and vaccines considered under paragraph (1).

(e) SCIENTIFIC DETERMINATIONS CONCERNING ILLNESSES.—(1) For each illness identified under subparagraph (B) or (C) of subsection (c)(1), the National Academy of Sciences shall determine (to the extent available scientific evidence permits) whether there is scientific evidence of an association of that illness with Gulf War service or exposure during Gulf War service to one or more agents, hazards, or medicines or vaccines. In

making those determinations, the Academy shall consider—

(A) the strength of scientific evidence, the replicability of results, the statistical significance of results, and the appropriateness of the scientific methods used to detect the association;

(B) in any case where there is evidence of an apparent association, whether there is reasonable confidence that that apparent association is not due to chance, bias, or confounding;

(C) the increased risk of the illness among human or animal populations exposed to the agent, hazard, or medicine or vaccine;

(D) whether a plausible biological mechanism or other evidence of a causal relationship exists between exposure to the agent, hazard, or medicine or vaccine and the illness;

(E) in any case where information about exposure levels is available, whether the evidence indicates that the levels of exposure of the studied populations were of the same magnitude as the estimated likely exposures of Gulf War veterans; and

(F) whether there is an increased risk of illness among Gulf War veterans in comparison with appropriate peer groups.

(2) The Academy shall include in its reports under subsection (h) a full discussion of the scientific evidence and reasoning that led to its conclusions under this subsection.

(f) **RECOMMENDATIONS FOR ADDITIONAL SCIENTIFIC STUDIES.**—(1) Under the agreement under subsection (b), the National Academy of Sciences shall make any recommendations that it considers appropriate for additional scientific studies (including studies relating to treatment models) to resolve areas of continuing scientific uncertainty relating to the health consequences of service in the Persian Gulf War or exposure to toxic agents, environmental or wartime hazards, or preventive medicines or vaccines associated with Gulf War service.

(2) In making recommendations for additional studies, the Academy shall consider the available scientific data, the value and relevance of the information that could result from such studies, and the cost and feasibility of carrying out such studies.

(g) **SUBSEQUENT REVIEWS.**—(1) Under the agreement under subsection (b), the National Academy of Sciences shall conduct on a periodic and ongoing basis additional reviews of the evidence and data relating to its activities under this section.

(2) As part of each review under this subsection, the Academy shall—

(A) conduct as comprehensive a review as is practicable of the information referred to in subsection (c), the evidence referred to in subsection (e), and the data referred to in subsection (f) that became available since the last review of such information, evidence, and data under this section; and

(B) make determinations under the subsections referred to in subparagraph (A) on the basis of the results of such review and all other reviews previously conducted for purposes of this section.

(h) **REPORTS BY ACADEMY.**—(1) Under the agreement under subsection (b), the National Academy of Sciences shall submit to the Committees on Veterans' Affairs of the Senate and the House of Representatives and the Secretary of Veterans Affairs periodic written reports regarding the Academy's activities under the agreement.

(2) The first report under paragraph (1) shall be submitted not later than two years after entry into the agreement under subsection (b). That report shall include—

(A) the determinations and discussion referred to in subsection (e); and

(B) any recommendations of the Academy under subsection (f).

(3) Reports shall be submitted under this subsection at least once every two years, as measured from the date of the report under paragraph (2).

(4) In any report under this subsection (other than the report under paragraph (2)), the Academy may specify an absence of meaningful developments in the scientific or medical community with respect to the activities of the Academy under this section during the two-year period ending on the date of such report.

(i) **REPORTS BY SECRETARY.**—(1) The Secretary shall review each report from the Academy under subsection (h). As part of such review, the Secretary shall seek comments on, and evaluation of, the Academy's report from the heads of other affected departments and agencies of the United States.

(2) Based upon a review under paragraph (1), the Secretary shall submit to the Committees on Veterans' Affairs of the Senate and the House of Representatives a report on the available scientific and medical information regarding the health consequences of Persian Gulf War service and of exposures to risk factors during service in the Persian Gulf War. The Secretary shall include in the report the Secretary's recommendations as to whether there is sufficient evidence to warrant a presumption of service-connection for the occurrence of a specified condition in Gulf War veterans. In determining whether to make such a recommendation, the Secretary shall consider the matters specified in subparagraphs (A) through (F) of subsection (e)(1).

(3) The report under this subsection shall be submitted not later than 120 days after the date on which the Secretary receives the report from the Academy.

(j) **SUNSET.**—This section shall cease to be effective 11 years after the last day of the fiscal year in which the National Academy of Sciences enters into an agreement with the Secretary under subsection (b).

(k) **DEFINITION.**—In this section, the term "toxic agent, environmental or wartime hazard, or preventive medicine or vaccine associated with Gulf War service" means a biological, chemical, or other toxic agent, environmental or wartime hazard, or preventive medicine or vaccine that is known or presumed to be associated with service in the Armed Forces in the Southwest Asia theater of operations during the Persian Gulf War, whether such association arises as a result of single, repeated, or sustained exposure and whether such association arises through exposure singularly or in combination.

SEC. 102. HEALTH CARE FOR VETERANS OF PERSIAN GULF WAR AND FUTURE CONFLICTS.

(a) **AUTHORITY.**—Section 1710(e) is amended—

(1) by adding at the end of paragraph (1) the following new subparagraph:

"(D) Subject to paragraphs (2) and (3), a veteran who served on active duty in a theater of combat operations (as determined by the Secretary in consultation with the Secretary of Defense) during a period of war after the Persian Gulf War, or in combat against a hostile force during a period of hostilities (as defined in section 1712A(a)(2)(B) of this title) after the date of the enactment of this subparagraph, is eligible for hospital care, medical services, and nursing home care under subsection (a)(2)(F) for any illness, notwithstanding that there is insufficient medical evidence to conclude that such condition is attributable to such service.";

(2) in paragraph (2)(B), by inserting "or (1)(D)" after "paragraph (1)(C)";

(3) in paragraph (3)—

(A) by striking out "and" at the end of subparagraph (A);

(B) by striking out "December 31, 1998," in subparagraph (B) and inserting in lieu thereof "December 31, 2001; and"; and

(C) by adding at the end the following new subparagraph:

"(C) in the case of care for a veteran described in paragraph (1)(D), after a period of two years beginning on the date of the veteran's discharge or release from active military, naval, or air service.";

(4) by adding at the end the following new paragraph:

"(5) When the Secretary first provides care for veterans using the authority provided in paragraph (1)(D), the Secretary shall establish a system for collection and analysis of information on the general health status and health care utilization patterns of veterans receiving care under that paragraph. Not later than 18 months after first providing care under such authority, the Secretary shall submit to Congress a report on the experience under that authority. The Secretary shall include in the report any recommendations of the Secretary for extension of that authority."

(b) **IMPLEMENTATION REPORT.**—Not later than October 1, 1999, the Secretary of Veterans Affairs shall submit to the Committees on Veterans' Affairs of the Senate and House of Representatives a report on the Secretary's plan for establishing and operating the system for collection and analysis of information required by paragraph (5) of section 1710(e) of title 38, United States Code, as added by subsection (a)(4).

SEC. 103. NATIONAL CENTER ON WAR-RELATED ILLNESSES AND POST-DEPLOYMENT HEALTH ISSUES.

(a) **ASSESSMENT.**—The Secretary of Veterans Affairs shall seek to enter into an agreement with the National Academy of Sciences, or another appropriate independent organization, under which such entity shall assist in developing a plan for the establishment of a national center or national centers for the study of war-related illnesses and post-deployment health issues. The purposes of such a center may include—

(1) carrying out and promoting research regarding the etiologies, diagnosis, treatment, and prevention of war-related illnesses and post-deployment health issues; and

(2) promoting the development of appropriate health policies, including monitoring, medical recordkeeping, risk communication, and use of new technologies.

(b) **RECOMMENDATIONS AND REPORT.**—With respect to such a center, an agreement under this section shall provide for the Academy (or other entity) to—

(1) make recommendations regarding (A) design of an organizational structure or structures, operational scope, staffing and resource needs, establishment of appropriate databases, the advantages of single or multiple sites, mechanisms for implementing recommendations on policy, and relationship to academic or scientific entities, (B) the role or roles that relevant Federal departments and agencies should have in the establishment and operation of any such center or centers, and (C) such other matters as it considers appropriate; and

(2) report to the Secretary, the Secretaries of Defense and Health and Human Services, and the Committees on Veterans' Affairs of the Senate and House of Representatives, not later than one year after the date of the enactment of this Act, on its recommendations.

(c) **REPORT ON ESTABLISHMENT OF NATIONAL CENTER.**—Not later than 60 days after receiving the report under subsection (b), the Secretaries specified in subsection (b)(2) shall submit to the Committees on Veterans' Affairs and Armed Services of the Senate and the Committees on Veterans' Affairs and National Security of the House of Representatives a joint report on the findings and recommendations contained in that report. Such report may set forth an operational

plan for carrying out any recommendation in that report to establish a national center or centers for the study of war-related illnesses. No action to carry out such plan may be taken after the submission of such report until the end of a 90-day period following the date of the submission.

SEC. 104. COORDINATION OF ACTIVITIES.

Section 707 of the Persian Gulf War Veterans' Health Status Act (title VII of Public Law 102-585; 38 U.S.C. 527 note) is amended—

(1) in the heading, by striking out "government activities on health-related research" and inserting the following: "health-related government activities";

(2) in subsection (a), by striking out "research"; and

(3) by striking out subsection (b) and inserting in lieu thereof the following:

"(b) PUBLIC ADVISORY COMMITTEE.—Not later than January 1, 1999, the head of the department or agency designated under subsection (a) shall establish an advisory committee consisting of members of the general public, including Persian Gulf War veterans and representatives of such veterans, to provide advice to the head of that department or agency on proposed research studies, research plans, or research strategies relating to the health consequences of military service in the Southwest Asia theater of operations during the Persian Gulf War. The department or agency head shall consult with such advisory committee on a regular basis.

"(c) REPORTS.—(1) Not later than March 1 of each year, the head of the department or agency designated under subsection (a) shall submit to the Committees on Veterans' Affairs of the Senate and House of Representatives a report on—

"(A) the status and results of all such research activities undertaken by the executive branch during the previous year; and

"(B) research priorities identified during that year.

"(2)(A) Not later than 120 days after submission of the epidemiological research study conducted by the Department of Veterans Affairs entitled "VA National Survey of Persian Gulf Veterans—Phase III", the head of the department or agency designated under subsection (a) shall submit to the congressional committees specified in paragraph (1) a report on the findings under that study and any other pertinent medical literature.

"(B) With respect to any findings of that study and any other pertinent medical literature which identify scientific evidence of a greater relative risk of illness or illnesses in family members of veterans who served in the Persian Gulf War theater of operations than in family members of veterans who did not so serve, the head of the department or agency designated under subsection (a) shall seek to ensure that appropriate research studies are designed to follow up on such findings.

"(d) PUBLIC AVAILABILITY OF RESEARCH FINDINGS.—The head of the department or agency designated under subsection (a) shall ensure that the findings of all research conducted by or for the executive branch relating to the health consequences of military service in the Persian Gulf theater of operations during the Persian Gulf War (including information pertinent to improving provision of care for veterans of such service) are made available to the public through peer-reviewed medical journals, the World Wide Web, and other appropriate media.

"(e) OUTREACH.—The head of the department or agency designated under subsection (a) shall ensure that the appropriate departments consult and coordinate in carrying out an ongoing program to provide information to those who served in the Southwest Asia theater of operations during the Persian Gulf War relating to (1) the health risks,

if any, resulting from any risk factors associated with such service, and (2) any services or benefits available with respect to such health risks."

SEC. 105. IMPROVING EFFECTIVENESS OF CARE OF PERSIAN GULF WAR VETERANS.

(a) ASSESSMENT BY NATIONAL ACADEMY OF SCIENCES.—Not later than April 1, 1999, the Secretary of Veterans Affairs shall enter into a contract with the National Academy of Sciences to review the available scientific data in order to—

(1) assess whether a methodology could be used by the Department of Veterans Affairs for determining the efficacy of treatments furnished to, and health outcomes (including functional status) of, Persian Gulf War veterans who have been treated for illnesses which may be associated with their service in the Persian Gulf War; and

(2) identify, to the extent feasible, with respect to each undiagnosed illness prevalent among such veterans and for any other chronic illness that the Academy determines to warrant such review, empirically valid models of treatment for such illness which employ successful treatment modalities for populations with similar symptoms.

(b) ACTION ON REPORT.—(1) After receiving the final report of the National Academy of Sciences under subsection (a), the Secretary shall, if a reasonable and scientifically feasible methodology is identified by the Academy, develop an appropriate mechanism to monitor and study the effectiveness of treatments furnished to, and health outcomes of, Persian Gulf War veterans who suffer from diagnosed and undiagnosed illnesses which may be associated with their service in the Persian Gulf War.

(2) The Secretary shall submit to the Committees on Veterans' Affairs of the Senate and House of Representatives a report on the implementation of paragraph (1).

(3) The Secretary shall carry out paragraphs (1) and (2) not later than 180 days after receiving the final report of the National Academy of Sciences under subsection (a).

SEC. 106. CONTRACT FOR INDEPENDENT RECOMMENDATIONS ON RESEARCH AND FOR DEVELOPMENT OF CURRICULUM ON CARE OF PERSIAN GULF WAR VETERANS.

Section 706 of the Persian Gulf War Veterans' Health Status Act (title VII of Public Law 102-585; 38 U.S.C. 527 note) is amended by adding at the end the following new subsection:

"(d) RESEARCH REVIEW AND DEVELOPMENT OF MEDICAL EDUCATION CURRICULUM.—(1) In order to further understanding of the health consequences of military service in the Persian Gulf theater of operations during the Persian Gulf War and of new research findings with implications for improving the provision of care for veterans of such service, the Secretary of Veterans Affairs and the Secretary of Defense shall seek to enter into an agreement with the National Academy of Sciences under which the Institute of Medicine of the Academy would—

"(A) develop a curriculum pertaining to the care and treatment of veterans of such service who have ill-defined or undiagnosed illnesses for use in the continuing medical education of both general and specialty physicians who provide care for such veterans; and

"(B) on an ongoing basis, periodically review and provide recommendations regarding the research plans and research strategies of the Departments relating to the health consequences of military service in the Persian Gulf theater of operations during the Persian Gulf War.

"(2) Recommendations to be provided under paragraph (1)(B) include any recommendations that the Academy considers

appropriate for additional scientific studies (including studies related to treatment models) to resolve areas of continuing scientific uncertainty relating to the health consequences of any aspects of such military service. In making recommendations for additional studies, the Academy shall consider the available scientific data, the value and relevance of the information that could result from such studies, and the cost and feasibility of carrying out such studies.

"(3) Not later than nine months after the Institute of Medicine provides the Secretaries the curriculum developed under paragraph (1)(A), the Secretaries shall provide for the conduct of continuing education programs using that curriculum. Those programs shall include instruction which seeks to emphasize use of appropriate protocols of diagnosis, referral, and treatment of such veterans."

SEC. 107. EXTENSION AND IMPROVEMENT OF EVALUATION OF HEALTH STATUS OF SPOUSES AND CHILDREN OF PERSIAN GULF WAR VETERANS.

(a) ONE-YEAR EXTENSION.—Subsection (b) of section 107 of the Persian Gulf War Veterans' Benefits Act (title I of Public Law 103-446; 38 U.S.C. 1117 note) is amended by striking out "December 31, 1998" and inserting in lieu thereof "December 31, 1999".

(b) TERMINATION OF CERTAIN TESTING AND EVALUATION REQUIREMENTS.—Subsection (a) of such section is amended—

(1) by striking out "the" after "Secretary of";

(2) by striking out "study" both places it appears and inserting in lieu thereof "program"; and

(3) by striking out the sentence following paragraph (3).

(c) ENHANCED FLEXIBILITY IN EXAMINATIONS.—Subsection (d) of such section is amended—

(1) by striking out "shall" and inserting in lieu thereof "may"; and

(2) by inserting ", including fee arrangements described in section 1703 of title 38, United States Code" after "arrangements".

(d) OUTREACH.—Subsection (g) of such section is amended—

(1) by striking out "to ensure" and all that follows through the period at the end of paragraph (2) and inserting in lieu thereof "for the purposes of the program."; and

(2) by adding at the end the following new sentence: "In conducting such outreach activities, the Secretary shall advise that medical treatment is not available under the program."

(e) REPORT TO CONGRESS.—Subsection (i) of such section is amended to read as follows:

"(i) REPORT TO CONGRESS.—Not later than July 31, 1999, the Secretary shall submit to the Committees on Veterans' Affairs of the Senate and House of Representatives a report on activities with respect to the program, including the provision of services under subsection (d)."

TITLE II—EDUCATION AND EMPLOYMENT Subtitle A—Education Matters

SEC. 201. CALCULATION OF REPORTING FEE BASED ON TOTAL VETERAN ENROLLMENT DURING A CALENDAR YEAR.

(a) IN GENERAL.—The second sentence of section 3684(c) is amended by striking out "on October 31" and all that follows through the period and inserting in lieu thereof "during the calendar year."

(b) FUNDING.—Section 3684(c), as amended by subsection (a), is further amended by adding at the end the following new sentence: "The reporting fee payable under this subsection shall be paid from amounts appropriated for readjustment benefits."

(c) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to calendar years beginning after December 31, 1998.

SEC. 202. ELECTION OF ADVANCE PAYMENT OF WORK-STUDY ALLOWANCE.

(a) IN GENERAL.—The third sentence of section 3485(a)(1) is amended by striking out "An individual shall be paid in advance" and inserting in lieu thereof "An individual may elect, in a manner prescribed by the Secretary, to be paid in advance".

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply with respect to agreements entered into under section 3485 of title 38, United States Code, on or after January 1, 1999.

SEC. 203. ALTERNATIVE TO TWELVE SEMESTER HOUR EQUIVALENCY REQUIREMENT.

(a) IN GENERAL.—The following sections of chapter 30 are each amended by striking out "successfully completed" each place it appears and inserting in lieu thereof "successfully completed (or otherwise received academic credit for)": sections 3011(a)(2), 3012(a)(2), 3018(b)(4)(ii), 3018A(a)(2), 3018B(a)(1)(B), 3018B(a)(2)(B), and 3018C(a)(3).

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect on October 1, 1998.

SEC. 204. MEDICAL EVIDENCE FOR FLIGHT TRAINING REQUIREMENTS.

(a) TITLE 38, UNITED STATES CODE.—Sections 3034(d)(2) and 3241(b)(2) are each amended—

(1) by striking out "pilot's license" each place it appears and inserting in lieu thereof "pilot certificate"; and

(2) by inserting ", on the day the individual begins a course of flight training," after "meets".

(b) TITLE 10, UNITED STATES CODE.—Section 16136(c)(2) of title 10, United States Code, is amended—

(1) by striking out "pilot's license" each place it appears and inserting in lieu thereof "pilot certificate"; and

(2) by inserting ", on the day the individual begins a course of flight training," after "meets".

(c) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to courses of flight training beginning on or after October 1, 1998.

SEC. 205. WAIVER OF WAGE INCREASE AND MINIMUM PAYMENT RATE REQUIREMENTS FOR GOVERNMENT JOB TRAINING PROGRAM APPROVAL.

(a) IN GENERAL.—Section 3677(b) is amended—

(1) by inserting "(1)" after "(b)";

(2) by redesignating paragraphs (1) and (2) as subparagraphs (A) and (B), respectively;

(3) in subparagraph (A), as so redesignated, by striking out "(A)" and "(B)" and inserting in lieu thereof "(i)" and "(ii)", respectively; and

(4) by adding at the end the following new paragraph:

"(2) The requirement under paragraph (1)(A)(ii) shall not apply with respect to a training establishment operated by the United States or by a State or local government."

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall apply with respect to approval of programs of training on the job under section 3677 of title 38, United States Code, on or after October 1, 1998.

SEC. 206. EXPANSION OF EDUCATION OUTREACH SERVICES.

(a) EXPANSION OF EDUCATION OUTREACH SERVICES TO MEMBERS OF THE ARMED FORCES.—Section 3034 is amended by adding at the end the following new subsection:

"(e)(1) In the case of a member of the Armed Forces who participates in basic educational assistance under this chapter, the Secretary shall furnish the information described in paragraph (2) to each such member. The Secretary shall furnish such information as soon as practicable after the basic

pay of the member has been reduced by \$1,200 in accordance with section 3011(b) or 3012(c) of this title and at such additional times as the Secretary determines appropriate.

"(2) The information referred to in paragraph (1) is information with respect to the benefits, limitations, procedures, eligibility requirements (including time-in-service requirements), and other important aspects of the basic educational assistance program under this chapter, including application forms for such basic educational assistance under section 5102 of this title.

"(3) The Secretary shall furnish the forms described in paragraph (2) and other educational materials to educational institutions, training establishments, and military education personnel, as the Secretary determines appropriate.

"(4) The Secretary shall use amounts appropriated for readjustment benefits to carry out this subsection and section 5102 of this title with respect to application forms under that section for basic educational assistance under this chapter."

(b) EFFECTIVE DATE.—The amendment made by this section shall take effect 180 days after the date of the enactment of this Act.

SEC. 207. INFORMATION ON MINIMUM REQUIREMENTS FOR EDUCATION BENEFITS FOR MEMBERS OF THE ARMED FORCES DISCHARGED EARLY FROM DUTY FOR THE CONVENIENCE OF THE GOVERNMENT.

(a) ACTIVE DUTY PROGRAM.—Section 3011 is amended by adding at the end the following new subsection:

"(i) The Secretary concerned shall inform any member of the Armed Forces who has not completed that member's initial obligated period of active duty (as described in subsection (a)(1)(A)) and who indicates the intent to be discharged or released from such duty for the convenience of the Government of the minimum active duty requirements for entitlement to educational assistance benefits under this chapter. Such information shall be provided to the member in a timely manner."

(b) RESERVE PROGRAM.—Section 3012 is amended by adding at the end the following new subsection:

"(g)(1) The Secretary concerned shall inform any member of the Armed Forces who has not completed that member's initial service (as described in paragraph (2)) and who indicates the intent to be discharged or released from such service for the convenience of the Government of the minimum service requirements for entitlement to educational assistance benefits under this chapter. Such information shall be provided to the member in a timely manner."

"(2) The initial service referred to in paragraph (1) is the initial obligated period of active duty (described in subparagraphs (A)(i) or (B)(i) of subsection (a)(1)) or the period of service in the Selected Reserve (described in subparagraphs (A)(ii) or (B)(ii) of subsection (a)(1))."

(c) REPORT TO CONGRESS.—Section 3036(b)(1) is amended—

(1) by striking out "and (B)" and inserting in lieu thereof "(B)"; and

(2) by inserting before the semicolon the following: ", and (C) describing the efforts under sections 3011(i) and 3012(g) of this title to inform members of the Armed Forces of the minimum service requirements for entitlement to educational assistance benefits under this chapter and the results from such efforts."

(d) EFFECTIVE DATES.—(1) The amendments made by subsections (a) and (b) shall take effect 120 days after the date of the enactment of this Act.

(2) The amendments made by subsection (c) shall apply with respect to reports to

Congress submitted by the Secretary of Defense under section 3036 of title 38, United States Code, on or after January 1, 2000.

Subtitle B—Uniformed Services Employment and Reemployment Rights Act Amendments**SEC. 211. ENFORCEMENT OF RIGHTS WITH RESPECT TO A STATE AS AN EMPLOYER.**

(a) IN GENERAL.—Section 4323 is amended to read as follows:

"§ 4323. Enforcement of rights with respect to a State or private employer

"(a) ACTION FOR RELIEF.—(1) A person who receives from the Secretary a notification pursuant to section 4322(e) of this title of an unsuccessful effort to resolve a complaint relating to a State (as an employer) or a private employer may request that the Secretary refer the complaint to the Attorney General. If the Attorney General is reasonably satisfied that the person on whose behalf the complaint is referred is entitled to the rights or benefits sought, the Attorney General may appear on behalf of, and act as attorney for, the person on whose behalf the complaint is submitted and commence an action for relief under this chapter for such person. In the case of such an action against a State (as an employer), the action shall be brought in the name of the United States as the plaintiff in the action.

"(2) A person may commence an action for relief with respect to a complaint against a State (as an employer) or a private employer if the person—

"(A) has chosen not to apply to the Secretary for assistance under section 4322(a) of this title;

"(B) has chosen not to request that the Secretary refer the complaint to the Attorney General under paragraph (1); or

"(C) has been refused representation by the Attorney General with respect to the complaint under such paragraph.

"(b) JURISDICTION.—(1) In the case of an action against a State (as an employer) or a private employer commenced by the United States, the district courts of the United States shall have jurisdiction over the action.

"(2) In the case of an action against a State (as an employer) by a person, the action may be brought in a State court of competent jurisdiction in accordance with the laws of the State.

"(3) In the case of an action against a private employer by a person, the district courts of the United States shall have jurisdiction of the action.

"(c) VENUE.—(1) In the case of an action by the United States against a State (as an employer), the action may proceed in the United States district court for any district in which the State exercises any authority or carries out any function.

"(2) In the case of an action against a private employer, the action may proceed in the United States district court for any district in which the private employer of the person maintains a place of business.

"(d) REMEDIES.—(1) In any action under this section, the court may award relief as follows:

"(A) The court may require the employer to comply with the provisions of this chapter.

"(B) The court may require the employer to compensate the person for any loss of wages or benefits suffered by reason of such employer's failure to comply with the provisions of this chapter.

"(C) The court may require the employer to pay the person an amount equal to the amount referred to in subparagraph (B) as liquidated damages, if the court determines that the employer's failure to comply with the provisions of this chapter was willful.

"(2)(A) Any compensation awarded under subparagraph (B) or (C) of paragraph (1) shall

be in addition to, and shall not diminish, any of the other rights and benefits provided for under this chapter.

“(B) In the case of an action commenced in the name of the United States for which the relief includes compensation awarded under subparagraph (B) or (C) of paragraph (1), such compensation shall be held in a special deposit account and shall be paid, on order of the Attorney General, directly to the person. If the compensation is not paid to the person because of inability to do so within a period of three years, the compensation shall be covered into the Treasury of the United States as miscellaneous receipts.

“(3) A State shall be subject to the same remedies, including prejudgment interest, as may be imposed upon any private employer under this section.

“(e) **EQUITY POWERS.**—The court may use its full equity powers, including temporary or permanent injunctions, temporary restraining orders, and contempt orders, to vindicate fully the rights or benefits of persons under this chapter.

“(f) **STANDING.**—An action under this chapter may be initiated only by a person claiming rights or benefits under this chapter under subsection (a) or by the United States under subsection (a)(1).

“(g) **RESPONDENT.**—In any action under this chapter, only an employer or a potential employer, as the case may be, shall be a necessary party respondent.

“(h) **FEES, COURT COSTS.**—(1) No fees or court costs may be charged or taxed against any person claiming rights under this chapter.

“(2) In any action or proceeding to enforce a provision of this chapter by a person under subsection (a)(2) who obtained private counsel for such action or proceeding, the court may award any such person who prevails in such action or proceeding reasonable attorney fees, expert witness fees, and other litigation expenses.

“(i) **INAPPLICABILITY OF STATE STATUTE OF LIMITATIONS.**—No State statute of limitations shall apply to any proceeding under this chapter.

“(j) **DEFINITION.**—In this section, the term ‘private employer’ includes a political subdivision of a State.”

(b) **EFFECTIVE DATE.**—(1) Section 4323 of title 38, United States Code, as amended by subsection (a), shall apply to actions commenced under chapter 43 of such title on or after the date of the enactment of this Act, and shall apply to actions commenced under such chapter before the date of the enactment of this Act that are not final on the date of the enactment of this Act, without regard to when the cause of action accrued.

(2) In the case of any such action against a State (as an employer) in which a person, on the day before the date of the enactment of this Act, is represented by the Attorney General under section 4323(a)(1) of such title as in effect on such day, the court shall upon motion of the Attorney General, substitute the United States as the plaintiff in the action pursuant to such section as amended by subsection (a).

SEC. 212. PROTECTION OF EXTRATERRITORIAL EMPLOYMENT AND REEMPLOYMENT RIGHTS OF MEMBERS OF THE UNIFORMED SERVICES.

(a) **DEFINITION OF EMPLOYEE.**—Section 4303(3) is amended by adding at the end the following new sentence: “Such term includes any person who is a citizen, national, or permanent resident alien of the United States employed in a workplace in a foreign country by an employer that is an entity incorporated or otherwise organized in the United States or that is controlled by an entity organized in the United States, within the meaning of section 4319(c) of this title.”

(b) **FOREIGN COUNTRIES.**—(1) Subchapter II of chapter 43 is amended by inserting after section 4318 the following new section:

“§ 4319. Employment and reemployment rights in foreign countries

“(a) **LIABILITY OF CONTROLLING UNITED STATES EMPLOYER OF FOREIGN ENTITY.**—If an employer controls an entity that is incorporated or otherwise organized in a foreign country, any denial of employment, reemployment, or benefit by such entity shall be presumed to be by such employer.

“(b) **INAPPLICABILITY TO FOREIGN EMPLOYER.**—This subchapter does not apply to foreign operations of an employer that is a foreign person not controlled by an United States employer.

“(c) **DETERMINATION OF CONTROLLING EMPLOYER.**—For the purpose of this section, the determination of whether an employer controls an entity shall be based upon the interrelations of operations, common management, centralized control of labor relations, and common ownership or financial control of the employer and the entity.

“(d) **EXEMPTION.**—Notwithstanding any other provision of this subchapter, an employer, or an entity controlled by an employer, shall be exempt from compliance with any of sections 4311 through 4318 of this title with respect to an employee in a workplace in a foreign country, if compliance with that section would cause such employer, or such entity controlled by an employer, to violate the law of the foreign country in which the workplace is located.”

(2) The table of sections at the beginning of chapter 43 is amended by inserting after the item relating to section 4318 the following new item:

“4319. Employment and reemployment rights in foreign countries.”

(c) **EFFECTIVE DATE.**—The amendments made by this section shall apply only with respect to causes of action arising after the date of the enactment of this Act.

SEC. 213. COMPLAINTS RELATING TO REEMPLOYMENT OF MEMBERS OF THE UNIFORMED SERVICES IN FEDERAL SERVICE.

(a) **IN GENERAL.**—The first sentence of paragraph (1) of section 4324(c) is amended by inserting before the period at the end the following: “, without regard as to whether the complaint accrued before, on, or after October 13, 1994”.

(b) **EFFECTIVE DATE.**—The amendment made by subsection (a) shall apply to complaints filed with the Merit Systems Protection Board on or after October 13, 1994.

TITLE III—COMPENSATION, PENSION, AND INSURANCE

SEC. 301. MEDAL OF HONOR SPECIAL PENSION.

(a) **INCREASE.**—Section 1562(a) is amended by striking out “\$400” and inserting in lieu thereof “\$600”.

(b) **EFFECTIVE DATE.**—The amendment made by subsection (a) shall take effect on the first day of the first month beginning on or after the date of the enactment of this Act.

SEC. 302. ACCELERATED DEATH BENEFIT FOR SERVICEMEMBERS’ GROUP LIFE INSURANCE AND VETERANS’ GROUP LIFE INSURANCE PARTICIPANTS.

(a) **IN GENERAL.**—(1) Subchapter III of chapter 19 is amended by adding at the end the following new section:

“§ 1980. Option to receive accelerated death benefit

“(a) For the purpose of this section, a person shall be considered to be terminally ill if the person has a medical prognosis such that the life expectancy of the person is less than a period prescribed by the Secretary. The maximum length of such period may not exceed 12 months.

“(b)(1) A terminally ill person insured under Servicemembers’ Group Life Insurance or Veterans’ Group Life Insurance may elect to receive in a lump-sum payment a portion of the face value of the insurance as an accelerated death benefit reduced by an amount necessary to assure that there is no increase in the actuarial value of the benefit paid, as determined by the Secretary.

“(2) The Secretary shall prescribe the maximum amount of the accelerated death benefit available under this section that the Secretary finds to be administratively practicable and actuarially sound, but in no event may the amount of the benefit exceed the amount equal to 50 percent of the face value of the person’s insurance in force on the date the election of the person to receive the benefit is approved.

“(3) A person making an election under this section may elect to receive an amount that is less than the maximum amount prescribed under paragraph (2). The Secretary shall prescribe the increments in which a reduced amount under this paragraph may be elected.

“(c) The portion of the face value of insurance which is not paid in a lump sum as an accelerated death benefit under this section shall remain payable in accordance with the provisions of this chapter.

“(d) Deductions under section 1969 of this title and premiums under section 1977(c) of this title shall be reduced, in a manner consistent with the percentage reduction in the face value of the insurance as a result of payment of an accelerated death benefit under this section, effective with respect to any amounts which would otherwise become due on or after the date of payment under this section.

“(e) The Secretary shall prescribe regulations to carry out this section. Such regulations shall include provisions regarding—

“(1) the form and manner in which an application for an election under this section shall be made; and

“(2) the procedures under which any such application shall be considered.

“(f)(1) An election to receive a benefit under this section shall be irrevocable.

“(2) A person may not make more than one election under this section, even if the election of the person is to receive less than the maximum amount of the benefit available to the person under this section.

“(g) If a person insured under Servicemembers’ Group Life Insurance elects to receive a benefit under this section and the person’s Servicemembers’ Group Life Insurance is thereafter converted to Veterans’ Group Life Insurance as provided in section 1968(b) of this title, the amount of the benefit paid under this section shall reduce the amount of Veterans’ Group Life Insurance available to the person under section 1977(a) of this title.

“(h) Notwithstanding any other provision of law, the amount of the accelerated death benefit received by a person under this section shall not be considered income or resources for purposes of determining eligibility for or the amount of benefits under any Federal or federally-assisted program or for any other purpose.”

(2) The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 1979 the following new item:

“1980. Option to receive accelerated death benefit.”

(b) **CONFORMING AMENDMENTS.**—Section 1970(g) is amended in the first sentence—

(1) by striking out “Payments of benefits” and inserting in lieu thereof “Any payments”; and

(2) by inserting “an insured or” after “or on account of”.

(c) **EFFECTIVE DATE.**—The amendments made by this section shall take effect 90 days after the date of the enactment of this Act.

SEC. 303. ASSESSMENT OF EFFECTIVENESS OF INSURANCE AND SURVIVOR BENEFITS PROGRAMS FOR SURVIVORS OF VETERANS WITH SERVICE-CONNECTED DISABILITIES.

(a) **REPORT ON ASSESSMENT.**—Not later than October 1, 1999, the Secretary of Veterans Affairs shall submit to the Committees on Veterans' Affairs of the Senate and the House of Representatives a report containing an assessment of the adequacy of the insurance and survivor benefits programs of the Department of Veterans Affairs (including the payment of dependency and indemnity compensation under chapter 13 of title 38, United States Code) in meeting the needs of survivors of veterans with service-connected disabilities, including survivors of catastrophically disabled veterans who cared for those veterans.

(b) **REPORT ELEMENTS.**—The report on the assessment under subsection (a) shall include the following:

(1) An identification of the characteristics that make a disabled veteran catastrophically disabled.

(2) A statement of the number of veterans with service-connected disabilities who participate in insurance programs administered by the Department.

(3) A statement of the number of survivors of veterans with service-connected disabilities who receive dependency and indemnity compensation under chapter 13 of title 38, United States Code.

(4) Data on veterans with service-connected disabilities that are relevant to the insurance programs administered by the Department, and an assessment how such data might be used to better determine the cost above standard premium rates of insuring veterans with service-connected disabilities under such programs.

(5) An analysis of various methods of accounting and providing for the additional cost of insuring the lives of veterans with service-connected disabilities under the insurance programs administered by the Department.

(6) An assessment of the adequacy and effectiveness of the current insurance programs and dependency and indemnity compensation programs of the Department in meeting the needs of survivors of severely disabled or catastrophically-disabled veterans.

(7) An analysis of various methods of meeting the transitional financial needs of survivors of veterans with service-connected disabilities immediately after the deaths of such veterans.

(8) Such recommendations as the Secretary considers appropriate regarding means of improving the benefits available to survivors of veterans with service-connected disabilities under programs administered by the Department.

SEC. 304. NATIONAL SERVICE LIFE INSURANCE PROGRAM.

(a) **ELIGIBILITY OF CERTAIN VETERANS FOR DIVIDENDS UNDER NSLI PROGRAM.**—Section 1919(b) is amended—

(1) by striking "sections 602(c)(2) and" and inserting "section"; and

(2) by striking "sections" after "under such" and inserting "section".

(b) **EFFECTIVE DATE.**—The amendments made by this section shall take effect at the end of the 90-day period beginning on the date of the enactment of this Act.

TITLE IV—MEMORIAL AFFAIRS

SEC. 401. COMMEMORATION OF INDIVIDUALS WHOSE REMAINS ARE UNAVAILABLE FOR INTERMENT.

(a) **MEMORIAL HEADSTONES OR MARKERS FOR CERTAIN MEMBERS OF THE ARMED FORCES**

AND SPOUSES.—Subsection (b) of section 2306 is amended to read as follows:

"(b)(1) The Secretary shall furnish, when requested, an appropriate memorial headstone or marker for the purpose of commemorating an eligible individual whose remains are unavailable. Such a headstone or marker shall be furnished for placement in a national cemetery area reserved for that purpose under section 2403 of this title, a veterans' cemetery owned by a State, or, in the case of a veteran, in a State, local, or private cemetery.

"(2) For purposes of paragraph (1), an eligible individual is any of the following:

"(A) A veteran.

"(B) The spouse or surviving spouse of a veteran.

"(3) For purposes of paragraph (1), the remains of an individual shall be considered to be unavailable if the individual's remains—

"(A) have not been recovered or identified;

"(B) were buried at sea, whether by the individual's own choice or otherwise;

"(C) were donated to science; or

"(D) were cremated and the ashes scattered without interment of any portion of the ashes.

"(4) For purposes of this subsection:

"(A) The term 'veteran' includes an individual who dies in the active military, naval, or air service.

"(B) The term 'surviving spouse' includes an unmarried surviving spouse whose subsequent remarriage was terminated by death or divorce."

(b) **ALTERNATIVE COMMEMORATION FOR CERTAIN SPOUSES.**—Such section is further amended by adding at the end the following new subsection:

"(e)(1) When the Secretary has furnished a headstone or marker under subsection (a) for the unmarked grave of an individual, the Secretary shall, if feasible, add a memorial inscription to that headstone or marker rather than furnishing a separate headstone or marker under that subsection for the surviving spouse of such individual.

"(2) When the Secretary has furnished a memorial headstone or marker under subsection (b) for purposes of commemorating a veteran or an individual who died in the active military, naval, or air service, the Secretary shall, if feasible, add a memorial inscription to that headstone or marker rather than furnishing a separate memorial headstone or marker under that subsection for the surviving spouse of such individual."

(c) **MEMORIAL AREAS.**—Section 2403(b) is amended to read as follows:

"(b) Under regulations prescribed by the Secretary, group memorials may be placed to honor the memory of groups of individuals referred to in subsection (a), and appropriate memorial headstones and markers may be placed to honor the memory of individuals referred to in subsection (a) and section 2306(b) of this title."

(d) **EFFECTIVE DATE.**—The amendments made by subsections (a) and (b) shall apply to deaths occurring after the date of the enactment of this Act.

SEC. 402. MERCHANT MARINER BURIAL AND CEMETERY BENEFITS.

(a) **BENEFITS.**—Part G of subtitle II of title 46, United States Code, is amended by inserting after chapter 111 the following new chapter:

"CHAPTER 112—MERCHANT MARINER BENEFITS

"Sec.

"11201. Eligibility for veterans' burial and cemetery benefits.

"11202. Qualified service.

"11203. Documentation of qualified service.

"11204. Processing fees.

"§ 11201. Eligibility for veterans' burial and cemetery benefits

"(a) **ELIGIBILITY.**—

"(1) **IN GENERAL.**—The qualified service of a person referred to in paragraph (2) shall be considered to be active duty in the Armed Forces during a period of war for purposes of eligibility for benefits under the following provisions of title 38:

"(A) Chapter 23 (relating to burial benefits).

"(B) Chapter 24 (relating to interment in national cemeteries).

"(2) **COVERED INDIVIDUALS.**—Paragraph (1) applies to a person who—

"(A) receives an honorable service certificate under section 11203 of this title; and

"(B) is not eligible under any other provision of law for benefits under laws administered by the Secretary of Veterans Affairs.

"(b) **REIMBURSEMENT FOR BENEFITS PROVIDED.**—The Secretary shall reimburse the Secretary of Veterans Affairs for the value of benefits that the Secretary of Veterans Affairs provides for a person by reason of eligibility under this section.

"(c) **APPLICABILITY.**—

"(1) **GENERAL RULE.**—Benefits may be provided under the provisions of law referred to in subsection (a)(1) by reason of this chapter only for deaths occurring after the date of the enactment of this chapter.

"(2) **BURIALS, ETC. IN NATIONAL CEMETERIES.**—Notwithstanding paragraph (1), in the case of an initial burial or columbarium placement after the date of the enactment of this chapter, benefits may be provided under chapter 24 of title 38 by reason of this chapter (regardless of the date of death), and in such a case benefits may be provided under section 2306 of such title.

"§ 11202. Qualified service

"For purposes of this chapter, a person shall be considered to have engaged in qualified service if, between August 16, 1945, and December 31, 1946, the person—

"(1) was a member of the United States merchant marine (including the Army Transport Service and the Naval Transportation Service) serving as a crewmember of a vessel that was—

"(A) operated by the War Shipping Administration or the Office of Defense Transportation (or an agent of the Administration or Office);

"(B) operated in waters other than inland waters, the Great Lakes, and other lakes, bays, and harbors of the United States;

"(C) under contract or charter to, or property of, the Government of the United States; and

"(D) serving the Armed Forces; and

"(2) while so serving, was licensed or otherwise documented for service as a crewmember of such a vessel by an officer or employee of the United States authorized to license or document the person for such service.

"§ 11203. Documentation of qualified service

"(a) **RECORD OF SERVICE.**—The Secretary, or in the case of personnel of the Army Transport Service or the Naval Transport Service, the Secretary of Defense, shall, upon application—

"(1) issue a certificate of honorable service to a person who, as determined by that Secretary, engaged in qualified service of a nature and duration that warrants issuance of the certificate; and

"(2) correct, or request the appropriate official of the Government to correct, the service records of that person to the extent necessary to reflect the qualified service and the issuance of the certificate of honorable service.

"(b) **TIMING OF DOCUMENTATION.**—A Secretary receiving an application under subsection (a) shall act on the application not later than one year after the date of that receipt.

"(c) STANDARDS RELATING TO SERVICE.—In making a determination under subsection (a)(1), the Secretary acting on the application shall apply the same standards relating to the nature and duration of service that apply to the issuance of honorable discharges under section 401(a)(1)(B) of the GI Bill Improvement Act of 1977 (38 U.S.C. 106 note).

"(d) CORRECTION OF RECORDS.—An official who is requested under subsection (a)(2) to correct the service records of a person shall make such correction.

"§ 11204. Processing fees

"(a) COLLECTION OF FEES.—The Secretary, or in the case of personnel of the Army Transport Service or the Naval Transport Service, the Secretary of Defense, shall collect a fee of \$30 from each applicant for processing an application submitted under section 11203(a) of this title.

"(b) TREATMENT OF FEES COLLECTED.—Amounts received by the Secretary under this section shall be deposited in the General Fund of the Treasury as offsetting receipts of the department in which the Coast Guard is operating and ascribed to Coast Guard activities. Amounts received by the Secretary of Defense under this section shall be deposited in the General Fund of the Treasury as offsetting receipts of the Department of Defense. In either case, such amounts shall be available, subject to appropriation, for the administrative costs of processing applications under section 11203 of this title."

(b) CLERICAL AMENDMENT.—The table of chapters at the beginning of subtitle II of title 46, United States Code, is amended by inserting after the item relating to chapter 111 the following new item:

"112. Merchant Mariner Benefits 11201".

SEC. 403. REDESIGNATION OF NATIONAL CEMETERY SYSTEM AND ESTABLISHMENT OF UNDER SECRETARY FOR MEMORIAL AFFAIRS.

(a) REDESIGNATION AS NATIONAL CEMETERY ADMINISTRATION.—(1) The National Cemetery System of the Department of Veterans Affairs shall hereafter be known and designated as the National Cemetery Administration. The position of Director of the National Cemetery System is hereby redesignated as Under Secretary of Veterans Affairs for Memorial Affairs.

(2) Section 301(c)(4) is amended by striking out "National Cemetery System" and inserting in lieu thereof "National Cemetery Administration".

(3) Section 307 is amended—

(A) in the first sentence, by striking out "a Director of the National Cemetery System" and inserting in lieu thereof "an Under Secretary for Memorial Affairs"; and

(B) in the second sentence, by striking out "The Director" and all that follows through "National Cemetery System" and inserting in lieu thereof "The Under Secretary is the head of the National Cemetery Administration".

(b) PAY RATE FOR UNDER SECRETARY.—Chapter 53 of title 5, United States Code, is amended—

(1) in section 5314, by inserting after the item relating to the Under Secretary for Benefits of the Department of Veterans Affairs the following new item:

"Under Secretary for Memorial Affairs, Department of Veterans Affairs."; and

(2) in section 5315, by striking out "Director of the National Cemetery System."

(c) CONFORMING AMENDMENTS.—

(1)(A) The heading of section 307 is amended to read as follows:

"§ 307. Under Secretary for Memorial Affairs".

(B) The item relating to section 307 in the table of sections at the beginning of chapter 3 is amended to read as follows:

"307. Under Secretary for Memorial Affairs."

(2) Section 2306(d) is amended by striking out "within the National Cemetery System" each place such term appears and inserting in lieu thereof "under the control of the National Cemetery Administration".

(3) Section 2400 is amended—

(A) in subsection (a)—

(i) by striking out "National Cemetery System" and inserting in lieu thereof "National Cemetery Administration responsible"; and

(ii) in the second sentence, by striking out "Such system" and all that follows through "National Cemetery System" and inserting in lieu thereof "The National Cemetery Administration shall be headed by the Under Secretary for Memorial Affairs";

(B) in subsection (b), by striking out "National Cemetery System" and inserting in lieu thereof "national cemeteries and other facilities under the control of the National Cemetery Administration"; and

(C) by amending the heading to read as follows:

"§ 2400. Establishment of National Cemetery Administration; composition of Administration".

(4) The item relating to section 2400 in the table of sections at the beginning of chapter 24 is amended to read as follows:

"2400. Establishment of National Cemetery Administration; composition of Administration."

(5) Section 2402 is amended in the matter preceding paragraph (1) by striking out "in the National Cemetery System" and inserting in lieu thereof "under the control of the National Cemetery Administration".

(6) Section 2403(c) is amended by striking out "in the National Cemetery System created by this chapter" and inserting in lieu thereof "under the control of the National Cemetery Administration".

(7) Section 2405(c) is amended—

(A) by striking out "within the National Cemetery System" and inserting in lieu thereof "under the control of the National Cemetery Administration"; and

(B) by striking out "within such System" and inserting in lieu thereof "under the control of such Administration".

(8) Section 2408(c)(1) is amended by striking out "in the National Cemetery System" and inserting in lieu thereof "under the control of the National Cemetery Administration".

(d) REFERENCES.—

(1) Any reference in a law, map, regulation, document, paper, or other record of the United States to the National Cemetery System shall be deemed to be a reference to the National Cemetery Administration.

(2) Any reference in a law, map, regulation, document, paper, or other record of the United States to the Director of the National Cemetery System shall be deemed to be a reference to the Under Secretary of Veterans Affairs for Memorial Affairs.

SEC. 404. STATE CEMETERY GRANTS PROGRAM.

(a) AMOUNT OF GRANT RELATIVE TO PROJECT COST.—(1) Paragraphs (1) and (2) of section 2408(b) are amended to read as follows:

"(1) The amount of a grant under this section may not exceed—

"(A) in the case of the establishment of a new cemetery, the sum of (i) the cost of improvements to be made on the land to be converted into a cemetery, and (ii) the cost of initial equipment necessary to operate the cemetery; and

"(B) in the case of the expansion or improvement of an existing cemetery, the sum of (i) the cost of improvements to be made on any land to be added to the cemetery, and (ii) the cost of any improvements to be made to the existing cemetery.

"(2) If the amount of a grant under this section is less than the amount of costs referred to in subparagraph (A) or (B) of paragraph (1), the State receiving the grant shall contribute the excess of such costs over the grant."

(2) The amendment made by paragraph (1) shall apply with respect to grants under section 2408 of title 38, United States Code, made after the end of the 60-day period beginning on the date of the enactment of this Act.

(b) AUTHORIZATION OF APPROPRIATIONS WITHOUT FISCAL YEAR LIMITATION.—The first sentence of section 2408(e) is amended by striking out "shall remain available until the end of the second fiscal year following the fiscal year for which they are appropriated" and inserting in lieu thereof "shall remain available until expended".

(c) EXTENSION OF AUTHORIZATION OF APPROPRIATIONS FOR GRANT PROGRAM.—Paragraph (2) of section 2408(a) is amended to read as follows:

"(2) There is authorized to be appropriated such sums as may be necessary for fiscal year 1999 and for each succeeding fiscal year through fiscal year 2004 for the purpose of making grants under paragraph (1)."

TITLE V—COURT OF VETERANS APPEALS

Subtitle A—Administrative Provisions Relating to the Court

SEC. 501. CONTINUATION IN OFFICE OF JUDGES PENDING CONFIRMATION FOR SECOND TERM.

Section 7253(c) is amended by adding at the end the following new sentence: "A judge who is nominated by the President for appointment to an additional term on the Court without a break in service and whose term of office expires while that nomination is pending before the Senate may continue in office for up to one year while that nomination is pending."

SEC. 502. EXEMPTION OF RETIREMENT FUND FROM SEQUESTRATION ORDERS.

Section 7298 is amended by adding at the end the following new subsection:

"(g) For purpose of section 255(g)(1)(B) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 905(g)(1)(B)), the retirement fund shall be treated in the same manner as the Claims Judges' Retirement Fund."

SEC. 503. ADJUSTMENTS FOR SURVIVOR ANNUITIES.

Subsection (o) of section 7297 is amended to read as follows:

"(o) Each survivor annuity payable from the retirement fund shall be increased at the same time as, and by the same percentage by which, annuities payable from the Judicial Survivors' Annuities Fund are increased pursuant to section 376(m) of title 28."

SEC. 504. REPORTS ON RETIREMENT PROGRAM MODIFICATIONS.

(a) REPORT ON JUDGES' RETIREMENT SYSTEM.—Not later than one year after the date of the enactment of this Act, the chief judge of the United States Court of Appeals for Veterans Claims shall submit to the Committees on Veterans' Affairs of the Senate and House of Representatives a report on the feasibility and desirability of merging the retirement plan of the judges of that court with retirement plans of other Federal judges.

(b) REPORT ON SURVIVOR ANNUITIES PLAN.—Not later than six months after the date of the enactment of this Act, the chief judge of the United States Court of Appeals for Veterans Claims shall submit to the Committees on Veterans' Affairs of the Senate and House of Representatives a report on the feasibility and desirability of allowing judges of that court to participate in the survivor annuity programs available to other Federal judges.

Subtitle B—Renaming of Court**SEC. 511. RENAMING OF THE COURT OF VETERANS APPEALS.**

(a) IN GENERAL.—The United States Court of Veterans Appeals is hereby renamed as, and shall hereafter be known and designated as, the United States Court of Appeals for Veterans Claims.

(b) SECTION 7251.—Section 7251 is amended by striking “United States Court of Veterans Appeals” and inserting “United States Court of Appeals for Veterans Claims”.

SEC. 512. CONFORMING AMENDMENTS.

(a) CONFORMING AMENDMENTS TO TITLE 38, UNITED STATES CODE.—

(1) The following sections are amended by striking “Court of Veterans Appeals” each place it appears and inserting “Court of Appeals for Veterans Claims”: sections 5904, 7101(b), 7252(a), 7253, 7254, 7255, 7256, 7261, 7262, 7263, 7264, 7266(a)(1), 7267(a), 7268(a), 7269, 7281(a), 7282(a), 7283, 7284, 7285(a), 7286, 7291, 7292, 7296, 7297, and 7298.

(2)(A) The heading of section 7286 is amended to read as follows:

“§ 7286. Judicial Conference of the Court”.

(B) The heading of section 7291 is amended to read as follows:

“§ 7291. Date when Court decision becomes final”.

(C) The heading of section 7298 is amended to read as follows:

“§ 7298. Retirement Fund”.

(3) The table of sections at the beginning of chapter 72 is amended as follows:

(A) The item relating to section 7286 is amended to read as follows:

“7286. Judicial Conference of the Court.”.

(B) The item relating to section 7291 is amended to read as follows:

“7291. Date when Court decision becomes final.”.

(C) The item relating to section 7298 is amended to read as follows:

“7298. Retirement Fund.”.

(4)(A) The heading of chapter 72 is amended to read as follows:

“CHAPTER 72—UNITED STATES COURT OF APPEALS FOR VETERANS CLAIMS”.

(B) The item relating to chapter 72 in the table of chapters at the beginning of title 38, United States Code, and the item relating to such chapter in the table of chapters at the beginning of part V are amended to read as follows:

“72. United States Court of Appeals for Veterans Claims 7251”.

(b) CONFORMING AMENDMENTS TO OTHER LAWS.—

(1) The following provisions of law are amended by striking “Court of Veterans Appeals” each place it appears and inserting “Court of Appeals for Veterans Claims”:

(A) Section 8440d of title 5, United States Code.

(B) Section 2412 of title 28, United States Code.

(C) Section 906 of title 44, United States Code.

(D) Section 109 of the Ethics in Government Act of 1978 (5 U.S.C. App.).

(2)(A) The heading of section 8440d of title 5, United States Code, is amended to read as follows:

“§ 8440d. Judges of the United States Court of Appeals for Veterans Claims”.

(B) The item relating to such section in the table of sections at the beginning of chapter 84 of such title is amended to read as follows:

“8440d. Judges of the United States Court of Appeals for Veterans Claims.”.

(c) OTHER LEGAL REFERENCES.—Any reference in a law, regulation, document, paper,

or other record of the United States to the United States Court of Veterans Appeals shall be deemed to be a reference to the United States Court of Appeals for Veterans Claims.

SEC. 513. EFFECTIVE DATE.

This subtitle, and the amendments made by this subtitle, shall take effect on the first day of the first month beginning more than 90 days after the date of the enactment of this Act.

TITLE VI—HOUSING**SEC. 601. LOAN GUARANTEE FOR MULTIFAMILY TRANSITIONAL HOUSING FOR HOMELESS VETERANS.**

(a) IN GENERAL.—Chapter 37 is amended by adding at the end the following new subchapter:

“SUBCHAPTER VI—LOAN GUARANTEE FOR MULTIFAMILY TRANSITIONAL HOUSING FOR HOMELESS VETERANS

“§ 3771. Definitions

“For purposes of this subchapter:

“(1) The term ‘veteran’ has the meaning given such term by paragraph (2) of section 101.

“(2) The term ‘homeless veteran’ means a veteran who is a homeless individual.

“(3) The term ‘homeless individual’ has the meaning given such term by section 103 of the Stewart B. McKinney Homeless Assistance Act (42 U.S.C. 11302).

“§ 3772. General authority

“(a) The Secretary may guarantee the full or partial repayment of a loan that meets the requirements of this subchapter.

“(b)(1) Not more than 15 loans may be guaranteed under subsection (a), of which not more than five such loans may be guaranteed during the three-year period beginning on the date of the enactment of this subchapter.

“(2) A guarantee of a loan under subsection (a) shall be in an amount that is not less than the amount necessary to sell the loan in a commercial market.

“(3) Not more than an aggregate amount of \$100,000,000 in loans may be guaranteed under subsection (a).

“(c) A loan may not be guaranteed under this subchapter unless, before closing such loan, the Secretary has approved the loan.

“(d)(1) The Secretary shall enter into contracts with a qualified nonprofit organization, or other qualified organization, that has experience in underwriting transitional housing projects to obtain advice in carrying out this subchapter, including advice on the terms and conditions necessary for a loan that meets the requirements of section 3773 of this title.

“(2) For purposes of paragraph (1), a nonprofit organization is an organization that is described in paragraph (3) or (4) of subsection (c) of section 501 of the Internal Revenue Code of 1986 and is exempt from tax under subsection (a) of such section.

“(e) The Secretary may carry out this subchapter in advance of the issuance of regulations for such purpose.

“(f) The Secretary may guarantee loans under this subchapter notwithstanding any requirement for prior appropriations for such purpose under any provision of law.

“§ 3773. Requirements

“(a) A loan referred to in section 3772 of this title meets the requirements of this subchapter if each of the following requirements is met:

“(1) The loan—

“(A) is for—

“(i) construction of, rehabilitation of, or acquisition of land for a multifamily transitional housing project described in subsection (b), or more than one of such purposes; or

“(ii) refinancing of an existing loan for such a project; and

“(B) may also include additional reasonable amounts for—

“(i) financing acquisition of furniture, equipment, supplies, or materials for the project; or

“(ii) in the case of a loan made for purposes of subparagraph (A)(i), supplying the organization carrying out the project with working capital relative to the project.

“(2) The loan is made in connection with funding or the provision of substantial property or services for such project by either a State or local government or a nongovernmental entity, or both.

“(3) The maximum loan amount does not exceed the lesser of—

“(A) that amount generally approved (utilizing prudent underwriting principles) in the consideration and approval of projects of similar nature and risk so as to assure repayment of the loan obligation; and

“(B) 90 percent of the total cost of the project.

“(4) The loan is of sound value, taking into account the creditworthiness of the entity (and the individual members of the entity) applying for such loan.

“(5) The loan is secured.

“(6) The loan is subject to such terms and conditions as the Secretary determines are reasonable, taking into account other housing projects with similarities in size, location, population, and services provided.

“(b) For purposes of this subchapter, a multifamily transitional housing project referred to in subsection (a)(1) is a project that—

“(1) provides transitional housing to homeless veterans, which housing may be single room occupancy (as defined in section 8(n) of the United States Housing Act of 1937 (42 U.S.C. 1437f(n)));

“(2) provides supportive services and counseling services (including job counseling) at the project site with the goal of making such veterans self-sufficient;

“(3) requires that each such veteran seek to obtain and maintain employment;

“(4) charges a reasonable fee for occupying a unit in such housing; and

“(5) maintains strict guidelines regarding sobriety as a condition of occupying such unit.

“(c) Such a project—

“(1) may include space for neighborhood retail services or job training programs; and

“(2) may provide transitional housing to veterans who are not homeless and to homeless individuals who are not veterans if—

“(A) at the time of taking occupancy by any such veteran or homeless individual, the transitional housing needs of homeless veterans in the project area have been met;

“(B) the housing needs of any such veteran or homeless individual can be met in a manner that is compatible with the manner in which the needs of homeless veterans are met under paragraph (1); and

“(C) the provisions of paragraphs (4) and (5) of subsection (b) are met.

“(d) In determining whether to guarantee a loan under this subchapter, the Secretary shall consider—

“(1) the availability of Department of Veterans Affairs medical services to residents of the multifamily transitional housing project; and

“(2) the extent to which needs of homeless veterans are met in a community, as assessed under section 107 of Public Law 102-405.

“§ 3774. Default

“(a) The Secretary shall take such steps as may be necessary to obtain repayment on any loan that is in default and that is guaranteed under this subchapter.

"(b) Upon default of a loan guaranteed under this subchapter and terminated pursuant to State law, a lender may file a claim under the guarantee for an amount not to exceed the lesser of—

"(1) the maximum guarantee; or

"(2) the difference between—

"(A) the total outstanding obligation on the loan, including principal, interest, and expenses authorized by the loan documents, through the date of the public sale (as authorized under such documents and State law); and

"(B) the amount realized at such sale.

"§ 3775. Audit

"During each of the first three years of operation of a multifamily transitional housing project with respect to which a loan is guaranteed under this subchapter, there shall be an annual, independent audit of such operation. Such audit shall include a detailed statement of the operations, activities, and accomplishments of such project during the year covered by such audit. The party responsible for obtaining such audit (and paying the costs thereof) shall be determined before the Secretary issues a guarantee under this subchapter."

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 37 is amended by adding at the end the following new items:

"SUBCHAPTER VI—LOAN GUARANTEE FOR MULTIFAMILY TRANSITIONAL HOUSING FOR HOMELESS VETERANS

"3771. Definitions.

"3772. General authority.

"3773. Requirements.

"3774. Default.

"3775. Audit."

SEC. 602. VETERANS HOUSING BENEFIT PROGRAM FUND ACCOUNT CONSOLIDATION.

(a) CONSOLIDATION OF HOUSING LOAN REVOLVING FUNDS.—Subchapter III of chapter 37 is amended—

(1) by striking out sections 3723, 3724, and 3725; and

(2) by inserting after section 3721 the following new section:

"§ 3722. Veterans Housing Benefit Program Fund

"(a) There is hereby established in the Treasury of the United States a fund known as the Veterans Housing Benefit Program Fund (hereafter in this section referred to as the 'Fund').

"(b) The Fund shall be available to the Secretary, without fiscal year limitation, for all housing loan operations under this chapter, other than administrative expenses, consistent with the Federal Credit Reform Act of 1990.

"(c) There shall be deposited into the Fund the following, which shall constitute the assets of the Fund:

"(1) Any amount appropriated to the Fund.

"(2) Amounts paid into the Fund under section 3729 of this title or any other provision of law or regulation established by the Secretary imposing fees on persons or other entities participating in the housing loan programs under this chapter.

"(3) All other amounts received by the Secretary on or after October 1, 1998, incident to housing loan operations under this chapter, including—

"(A) collections of principal and interest on housing loans made by the Secretary under this chapter;

"(B) proceeds from the sale, rental, use, or other disposition of property acquired under this chapter;

"(C) proceeds from the sale of loans pursuant to sections 3720(h) and 3733(a)(3) of this title; and

"(D) penalties collected pursuant to section 3710(g)(4)(B) of this title.

"(d) Amounts deposited into the Fund under paragraphs (2) and (3) of subsection (c) shall be deposited in the appropriate financing or liquidating account of the Fund.

"(e) For purposes of this section, the term 'housing loan' shall not include a loan made pursuant to subchapter V of this chapter."

(b) TRANSFERS OF AMOUNTS INTO VETERANS HOUSING BENEFIT PROGRAM FUND.—All amounts in the following funds are hereby transferred to the Veterans Housing Benefit Program Fund:

(1) The Direct Loan Revolving Fund, as such fund was continued under section 3723 of title 38, United States Code (as such section was in effect on the day before the effective date of this title).

(2) The Department of Veterans Affairs Loan Guaranty Revolving Fund, as established by section 3724 of such title (as such section was in effect on the day before the effective date of this title).

(3) The Guaranty and Indemnity Fund, as established by section 3725 of such title (as such section was in effect on the day before the effective date of this title).

(c) REPEAL OF AUTHORITY TO SELL PARTICIPATION CERTIFICATES AND OF OBSOLETE REQUIREMENT TO CREDIT PROCEEDS.—

(1) REPEAL OF AUTHORITY TO SELL PARTICIPATION CERTIFICATES.—Section 3720 is amended by striking out subsection (e).

(2) REPEAL OF OBSOLETE REQUIREMENT TO CREDIT PROCEEDS.—Section 3733 is amended by striking out subsection (e).

(d) SUBMISSION OF SUMMARY FINANCIAL STATEMENT ON HOUSING PROGRAMS.—Section 3734 is amended by adding at the end the following new subsection:

"(c) The information submitted under subsection (a) shall include a statement that summarizes the financial activity of each of the housing programs operated under this chapter. The statement shall be presented in a form that is simple, concise, and readily understandable, and shall not include references to financing accounts, liquidating accounts, or program accounts."

(e) CONFORMING AND CLERICAL AMENDMENTS.—

(1) CONFORMING AMENDMENTS TO CHAPTER 37.—Chapter 37 is amended as follows:

(A) Section 3703(e)(1) is amended by striking out "3729(c)(1)" and inserting in lieu thereof "3729(c)".

(B) Section 3711(k) is amended by striking out "and section 3723 of this title" both places it appears.

(C) Section 3727(c) is amended by striking out "funds established pursuant to sections 3723 and 3724 of this title, as applicable" and inserting in lieu thereof "fund established pursuant to section 3722 of this title".

(D) Section 3729 is amended—

(i) in subsection (c)—

(I) by striking out "(c)(1)" and inserting in lieu thereof "(c)"; and

(II) by striking out paragraphs (2) and (3); and

(ii) in subsection (a)(1), by striking out "(c)(1)" and inserting in lieu thereof "(c)".

(E) Section 3733(a)(6) is amended by striking out "Department of Veterans Affairs Loan Guaranty Revolving Fund established by section 3724(a)" and inserting in lieu thereof "Veterans Housing Benefit Program Fund established by section 3722(a)".

(F) Section 3734, as amended by subsection (d), is further amended—

(i) in subsection (a)—

(I) by striking out "Loan Guaranty Revolving Fund and the Guaranty and Indemnity Fund" in paragraph (1) and inserting in lieu thereof "Veterans Housing Benefit Program Fund"; and

(II) by striking out "funds," in paragraph (2) and inserting in lieu thereof "fund";

(ii) in subsection (b), by striking out "each fund" in the matter preceding paragraph (1) and inserting in lieu thereof "the fund"; and

(iii) in subsection (b)(2)—

(I) by striking out subparagraph (B);

(II) by redesignating subparagraphs (C), (D), (E), (F), and (G) as subparagraphs (B), (C), (D), (E), and (F), respectively; and

(III) in subparagraph (B), as so redesignated, by striking out "subsections (a)(3) and (c)(2) of section 3729" and inserting in lieu thereof "section 3729(a)(3)".

(G) Section 3735(a)(3)(A)(i) is amended by striking out "Loan Guaranty Revolving Fund and the Guaranty and Indemnity Fund" and inserting in lieu thereof "Veterans Housing Benefit Program Fund".

(2) OTHER CONFORMING AMENDMENT.—Section 2106(e) is amended by striking out "as appropriate, deposited in either the direct loan or loan guaranty revolving fund established by section 3723 or 3724 of this title, respectively" and inserting in lieu thereof "deposited in the Veterans Housing Benefit Program Fund established by section 3722 of this title".

(3) TECHNICAL AND CLERICAL AMENDMENTS.—(A) The heading for section 3734 is amended to read as follows:

"§ 3734. Annual submission of information on the Veterans Housing Benefit Program Fund and housing programs".

(B) The heading for section 3763 is amended to read as follows:

"§ 3763. Native American Veteran Housing Loan Program Account".

(C) The table of sections at the beginning of chapter 37 is amended—

(i) by inserting after the item relating to section 3721 the following new item:

"3722. Veterans Housing Benefit Program Fund."

(ii) by striking out the items relating to sections 3723, 3724, and 3725;

(iii) by striking out the item relating to section 3734 and inserting in lieu thereof the following:

"3734. Annual submission of information on the Veterans Housing Benefit Program Fund and housing programs."

and

(iv) by striking out the item relating to section 3763 and inserting in lieu thereof the following:

"3763. Native American Veteran Housing Loan Program Account."

(f) EFFECTIVE DATE.—This title and the amendments made by this title shall take effect on October 1, 1998.

SEC. 603. EXTENSION OF ELIGIBILITY OF MEMBERS OF SELECTED RESERVE FOR VETERANS HOUSING LOANS.

(a) EXTENSION.—Section 3702(a)(2)(E) is amended by striking out "October 27, 1999," and inserting in lieu thereof "September 30, 2003,".

(b) ONE-YEAR EXTENSION OF FEE PROVISION.—Section 3729(a)(4) is amended—

(1) by striking out "With respect to a loan closed after September 30, 1993, and before October 1, 2002," and inserting in lieu thereof "(A) With respect to a loan closed during the period specified in subparagraph (B)"; and

(2) by adding at the end the following:

"(B) The specified period for purposes of subparagraph (A) is the period beginning on October 1, 1993, and ending on September 30, 2002, except that in the case of a loan described in subparagraph (D) of paragraph (2), such period ends on September 30, 2003."

SEC. 604. APPLICABILITY OF PROCUREMENT LAW TO CERTAIN CONTRACTS OF DEPARTMENT OF VETERANS AFFAIRS.

(a) IN GENERAL.—Section 3720(b) is amended by striking "however" and all that fol-

lows and inserting the following: “, except that title III of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 251 et seq.) shall apply to any contract for services or supplies on account of any property acquired pursuant to this section.”.

(b) **EFFECTIVE DATE.**—The amendment made by subsection (a) shall apply with respect to contracts entered into under section 3720 of title 38, United States Code, after the end of the 60-day period beginning on the date of the enactment of this Act.

TITLE VII—CONSTRUCTION AND FACILITIES MATTERS

SEC. 701. AUTHORIZATION OF MAJOR MEDICAL FACILITY PROJECTS.

(a) **IN GENERAL.**—The Secretary of Veterans Affairs may carry out the following major medical facility projects, with each project to be carried out in the amount specified for that project:

(1) Alterations and demolition at the Department of Veterans Affairs Medical Center, Long Beach, California, in an amount not to exceed \$23,200,000.

(2) Construction and seismic work at the Department of Veterans Affairs Medical Center, San Juan, Puerto Rico, in an amount not to exceed \$50,000,000.

(3) Outpatient clinic expansion at the Department of Veterans Affairs Medical Center, Washington, D.C., in an amount not to exceed \$29,700,000.

(4) Construction of a psychogeriatric care building and demolition of a seismically unsafe building at the Department of Veterans Affairs Medical Center, Palo Alto, California, in an amount not to exceed \$22,400,000.

(5) Construction of an ambulatory care addition and renovations for ambulatory care at the Department of Veterans Affairs Medical Center, Cleveland (Wade Park), Ohio, in an amount not to exceed \$28,300,000, of which \$7,500,000 shall be derived from funds appropriated for a fiscal year before fiscal year 1999 that remain available for obligation.

(6) Construction of an ambulatory care addition at the Department of Veterans Affairs Medical Center, Tucson, Arizona, in an amount not to exceed \$35,000,000.

(7) Construction of an addition for psychiatric care at the Department of Veterans Affairs Medical Center, Dallas, Texas, in an amount not to exceed \$24,200,000.

(8) Outpatient clinic projects at Auburn and Merced, California, as part of the Northern California Healthcare Systems Project, in an amount not to exceed \$3,000,000, to be derived only from funds appropriated for Construction, Major Projects, for a fiscal year before fiscal year 1999 that remain available for obligation.

(9) Renovations to a nursing home care unit at the Department of Veterans Affairs Medical Center, Lebanon, Pennsylvania, in an amount not to exceed \$9,500,000.

(10) Construction of a spinal cord injury center at the Department of Veterans Affairs Medical Center, Tampa, Florida, in an amount not to exceed \$46,300,000, of which \$20,000,000 shall be derived from funds appropriated for a fiscal year before fiscal year 1999 that remain available for obligation.

(b) **CONSTRUCTION OF PARKING FACILITY.**—The Secretary may construct a parking structure at the Department of Veterans Affairs Medical Center, Denver, Colorado, in an amount not to exceed \$13,000,000, of which \$11,900,000 shall be derived from funds in the Parking Revolving Fund.

SEC. 702. AUTHORIZATION OF MAJOR MEDICAL FACILITY LEASES.

The Secretary of Veterans Affairs may enter into leases for satellite outpatient clinics as follows:

(1) Baton Rouge, Louisiana, in an amount not to exceed \$1,800,000.

(2) Daytona Beach, Florida, in an amount not to exceed \$2,600,000.

(3) Oakland Park, Florida, in an amount not to exceed \$4,100,000.

SEC. 703. AUTHORIZATION OF APPROPRIATIONS.

(a) **IN GENERAL.**—There are authorized to be appropriated to the Secretary of Veterans Affairs for fiscal year 1999 and for fiscal year 2000—

(1) for the Construction, Major Projects, account \$241,100,000 for the projects authorized in section 701(a); and

(2) for the Medical Care account, \$8,500,000 for the leases authorized in section 702.

(b) **LIMITATION.**—(1) The projects authorized in section 701(a) may only be carried out using—

(A) funds appropriated for fiscal year 1999 or fiscal year 2000 pursuant to the authorization of appropriations in subsection (a);

(B) funds appropriated for Construction, Major Projects, for a fiscal year before fiscal year 1999 that remain available for obligation; and

(C) funds appropriated for Construction, Major Projects, for fiscal year 1999 for a category of activity not specific to a project.

(2) The project authorized in section 701(b) may only be carried out using funds appropriated for a fiscal year before fiscal year 1999—

(A) for the Parking Revolving Fund; or

(B) for Construction, Major Projects, for a category of activity not specific to a project.

SEC. 704. INCREASE IN THRESHOLD FOR MAJOR MEDICAL FACILITY LEASES FOR PURPOSES OF CONGRESSIONAL AUTHORIZATION.

Section 8104(a)(3)(B) is amended by striking out “\$300,000” and inserting in lieu thereof “\$600,000”.

SEC. 705. THRESHOLD FOR TREATMENT OF PARKING FACILITY PROJECT AS A MAJOR MEDICAL FACILITY PROJECT.

Section 8109(i)(2) is amended by striking out “\$3,000,000” and inserting in lieu thereof “\$4,000,000”.

SEC. 706. PARKING FEES.

(a) **LIMITATION.**—The Secretary of Veterans Affairs may not establish or collect any parking fee at any parking facility associated with the Spark M. Matsunaga Department of Veterans Affairs Medical and Regional Office Center in Honolulu, Hawaii.

(b) **REPORT.**—Not later than September 15, 1999, the Secretary shall submit to the Committees on Veterans’ Affairs of the Senate and House of Representatives a report regarding the Department’s experience in exercising and administering the authority of the Secretary to charge parking fees under subsections (d) and (e) of section 8109 of title 38, United States Code. The report shall include—

(1) the results of a survey which shall describe the parking facilities and number of parking spaces available to employees of the Department at each medical facility of the Department with more than 50 employees;

(2) an analysis of the means by which the Secretary could implement in a cost-effective manner the authority of the Secretary under subsection (e) of section 8109 of title 38, United States Code; and

(3) recommendations for amending section 8109 of such title—

(A) to address the applicability of parking fees to employees of the Secretary who are employed at a regional office which is co-located with a medical facility;

(B) to address the applicability of parking fees to persons using parking facilities at Department of Veterans Affairs medical centers co-located with facilities of the Department of Defense;

(C) to link any schedule of applicable fees to applicable commercial rates; and

(D) to achieve any other purpose.

SEC. 707. MASTER PLAN REGARDING USE OF DEPARTMENT OF VETERANS AFFAIRS LANDS AT WEST LOS ANGELES MEDICAL CENTER, CALIFORNIA.

(a) **REPORT.**—The Secretary of Veterans Affairs shall submit to Congress a report on the master plan of the Department of Veterans Affairs relating to the use of Department lands at the West Los Angeles Department of Veterans Affairs Medical Center, California.

(b) **REPORT ELEMENTS.**—The report under subsection (a) shall set forth the following:

(1) The master plan referred to in that subsection, if such a plan currently exists.

(2) A current assessment of the master plan.

(3) Any proposal of the Department for a veterans park on the lands referred to in subsection (a), and an assessment of such proposals.

(4) Any proposal to use a portion of those lands as dedicated green space, and an assessment of such proposals.

(c) **ALTERNATIVE REPORT ELEMENT.**—If a master plan referred to in subsection (a) does not exist as of the date of the enactment of this Act, the Secretary shall set forth in the report under that subsection, in lieu of the matters specified in paragraphs (1) and (2) of subsection (b), a plan for the development of a master plan for the use of the lands referred to in subsection (a) over the next 25 years and over the next 50 years.

SEC. 708. DESIGNATION OF DEPARTMENT OF VETERANS AFFAIRS MEDICAL CENTER, ASPINWALL, PENNSYLVANIA.

The Department of Veterans Affairs medical center in Aspinwall, Pennsylvania, is hereby designated as the “H. John Heinz III Department of Veterans Affairs Medical Center”. Any reference to that medical center in any law, regulation, map, document, record, or other paper of the United States shall be considered to be a reference to the H. John Heinz III Department of Veterans Affairs Medical Center.

SEC. 709. DESIGNATION OF DEPARTMENT OF VETERANS AFFAIRS MEDICAL CENTER, GAINESVILLE, FLORIDA.

The Department of Veterans Affairs medical center in Gainesville, Florida, is hereby designated as the “Malcom Randall Department of Veterans Affairs Medical Center”. Any reference to that medical center in any law, regulation, map, document, record, or other paper of the United States shall be considered to be a reference to the Malcom Randall Department of Veterans Affairs Medical Center.

SEC. 710. DESIGNATION OF DEPARTMENT OF VETERANS AFFAIRS OUTPATIENT CLINIC, COLUMBUS, OHIO.

The Department of Veterans Affairs outpatient clinic in Columbus, Ohio, shall after the date of the enactment of this Act be known and designated as the “Chalmers P. Wylie Veterans Outpatient Clinic”. Any reference to that outpatient clinic in any law, regulation, map, document, record, or other paper of the United States shall be considered to be a reference to the Chalmers P. Wylie Veterans Outpatient Clinic.

TITLE VIII—HEALTH PROFESSIONALS EDUCATIONAL ASSISTANCE

SEC. 801. SHORT TITLE.

This title may be cited as the “Department of Veterans Affairs Health Care Personnel Incentive Act of 1998”.

SEC. 802. SCHOLARSHIP PROGRAM FOR DEPARTMENT OF VETERANS AFFAIRS EMPLOYEES RECEIVING EDUCATION OR TRAINING IN THE HEALTH PROFESSIONS.

(a) **PROGRAM AUTHORITY.**—Chapter 76 is amended by adding at the end the following new subchapter:

“SUBCHAPTER VI—EMPLOYEE
INCENTIVE SCHOLARSHIP PROGRAM

“§ 7671. Authority for program

“As part of the Educational Assistance Program, the Secretary may carry out a scholarship program under this subchapter. The program shall be known as the Department of Veterans Affairs Employee Incentive Scholarship Program (hereinafter in this subchapter referred to as the ‘Program’). The purpose of the Program is to assist, through the establishment of an incentive program for individuals employed in the Veterans Health Administration, in meeting the staffing needs of the Veterans Health Administration for health professional occupations for which recruitment or retention of qualified personnel is difficult.

“§ 7672. Eligibility; agreement

“(a) ELIGIBILITY.—To be eligible to participate in the Program, an individual must be an eligible Department employee who is accepted for enrollment or enrolled (as described in section 7602 of this title) as a full-time or part-time student in a field of education or training described in subsection (c).

“(b) ELIGIBLE DEPARTMENT EMPLOYEES.—For purposes of subsection (a), an eligible Department employee is any employee of the Department who, as of the date on which the employee submits an application for participation in the Program, has been continuously employed by the Department for not less than two years.

“(c) QUALIFYING FIELDS OF EDUCATION OR TRAINING.—A scholarship may be awarded under the Program only for education and training in a field leading to appointment or retention in a position under section 7401 of this title.

“(d) AWARD OF SCHOLARSHIPS.—Notwithstanding section 7603(d) of this title, the Secretary, in selecting participants in the Program, may award a scholarship only to applicants who have a record of employment with the Veterans Health Administration which, in the judgment of the Secretary, demonstrates a high likelihood that the applicant will be successful in completing such education or training and in employment in such field.

“(e) AGREEMENT.—(1) An agreement between the Secretary and a participant in the Program shall (in addition to the requirements set forth in section 7604 of this title) include the following:

“(A) The Secretary’s agreement to provide the participant with a scholarship under the Program for a specified number (from one to three) of school years during which the participant pursues a course of education or training described in subsection (c) that meets the requirements set forth in section 7602(a) of this title.

“(B) The participant’s agreement to serve as a full-time employee in the Veterans Health Administration for a period of time (hereinafter in this subchapter referred to as the ‘period of obligated service’) determined in accordance with regulations prescribed by the Secretary of up to three calendar years for each school year or part thereof for which the participant was provided a scholarship under the Program, but for not less than three years.

“(C) The participant’s agreement to serve under subparagraph (B) in a Department facility selected by the Secretary.

“(2) In a case in which an extension is granted under section 7673(c)(2) of this title, the number of years for which a scholarship may be provided under the Program shall be the number of school years provided for as a result of the extension.

“(3) In the case of a participant who is a part-time student, the period of obligated service shall be reduced in accordance with

the proportion that the number of credit hours carried by such participant in any such school year bears to the number of credit hours required to be carried by a full-time student in the course of training being pursued by the participant, but in no event to less than one year.

“§ 7673. Scholarship

“(a) SCHOLARSHIP.—A scholarship provided to a participant in the Program for a school year shall consist of payment of the tuition (or such portion of the tuition as may be provided under subsection (b)) of the participant for that school year and payment of other reasonable educational expenses (including fees, books, and laboratory expenses) for that school year.

“(b) AMOUNTS.—The total amount of the scholarship payable under subsection (a)—

“(1) in the case of a participant in the Program who is a full-time student, may not exceed \$10,000 for any one year; and

“(2) in the case of a participant in the Program who is a part-time student, shall be the amount specified in paragraph (1) reduced in accordance with the proportion that the number of credit hours carried by the participant in that school year bears to the number of credit hours required to be carried by a full-time student in the course of education or training being pursued by the participant.

“(c) LIMITATION ON YEARS OF PAYMENT.—(1) Subject to paragraph (2), a participant in the Program may not receive a scholarship under subsection (a) for more than three school years.

“(2) The Secretary may extend the number of school years for which a scholarship may be awarded to a participant in the Program who is a part-time student to a maximum of six school years if the Secretary determines that the extension would be in the best interest of the United States.

“(d) PAYMENT OF EDUCATIONAL EXPENSES BY EDUCATIONAL INSTITUTIONS.—The Secretary may arrange with an educational institution in which a participant in the Program is enrolled for the payment of the educational expenses described in subsection (a). Such payments may be made without regard to subsections (a) and (b) of section 3324 of title 31.

“§ 7674. Obligated service

“(a) IN GENERAL.—Each participant in the Program shall provide service as a full-time employee of the Department for the period of obligated service provided in the agreement of the participant entered into under section 7603 of this title. Such service shall be provided in the full-time clinical practice of such participant’s profession or in another health-care position in an assignment or location determined by the Secretary.

“(b) DETERMINATION OF SERVICE COMMENCEMENT DATE.—(1) Not later than 60 days before a participant’s service commencement date, the Secretary shall notify the participant of that service commencement date. That date is the date for the beginning of the participant’s period of obligated service.

“(2) As soon as possible after a participant’s service commencement date, the Secretary shall—

“(A) in the case of a participant who is not a full-time employee in the Veterans Health Administration, appoint the participant as such an employee; and

“(B) in the case of a participant who is an employee in the Veterans Health Administration but is not serving in a position for which the participant’s course of education or training prepared the participant, assign the participant to such a position.

“(3)(A) In the case of a participant receiving a degree from a school of medicine, osteopathy, dentistry, optometry, or podiatry, the participant’s service commencement

date is the date upon which the participant becomes licensed to practice medicine, osteopathy, dentistry, optometry, or podiatry, as the case may be, in a State.

“(B) In the case of a participant receiving a degree from a school of nursing, the participant’s service commencement date is the later of—

“(i) the participant’s course completion date; or

“(ii) the date upon which the participant becomes licensed as a registered nurse in a State.

“(C) In the case of a participant not covered by subparagraph (A) or (B), the participant’s service commencement date is the later of—

“(i) the participant’s course completion date; or

“(ii) the date the participant meets any applicable licensure or certification requirements.

“(4) The Secretary shall by regulation prescribe the service commencement date for participants who were part-time students. Such regulations shall prescribe terms as similar as practicable to the terms set forth in paragraph (3).

“(c) COMMENCEMENT OF OBLIGATED SERVICE.—(1) Except as provided in paragraph (2), a participant in the Program shall be considered to have begun serving the participant’s period of obligated service—

“(A) on the date, after the participant’s course completion date, on which the participant (in accordance with subsection (b)) is appointed as a full-time employee in the Veterans Health Administration; or

“(B) if the participant is a full-time employee in the Veterans Health Administration on such course completion date, on the date thereafter on which the participant is assigned to a position for which the participant’s course of training prepared the participant.

“(2) A participant in the Program who on the participant’s course completion date is a full-time employee in the Veterans Health Administration serving in a capacity for which the participant’s course of training prepared the participant shall be considered to have begun serving the participant’s period of obligated service on such course completion date.

“(d) COURSE COMPLETION DATE DEFINED.—In this section, the term ‘course completion date’ means the date on which a participant in the Program completes the participant’s course of education or training under the Program.

“§ 7675. Breach of agreement: liability

“(a) LIQUIDATED DAMAGES.—A participant in the Program (other than a participant described in subsection (b)) who fails to accept payment, or instructs the educational institution in which the participant is enrolled not to accept payment, in whole or in part, of a scholarship under the agreement entered into under section 7603 of this title shall be liable to the United States for liquidated damages in the amount of \$1,500. Such liability is in addition to any period of obligated service or other obligation or liability under the agreement.

“(b) LIABILITY DURING COURSE OF EDUCATION OR TRAINING.—(1) Except as provided in subsection (d), a participant in the Program shall be liable to the United States for the amount which has been paid to or on behalf of the participant under the agreement if any of the following occurs:

“(A) The participant fails to maintain an acceptable level of academic standing in the educational institution in which the participant is enrolled (as determined by the educational institution under regulations prescribed by the Secretary).

“(B) The participant is dismissed from such educational institution for disciplinary reasons.

“(C) The participant voluntarily terminates the course of education or training in such educational institution before the completion of such course of education or training.

“(D) The participant fails to become licensed to practice medicine, osteopathy, dentistry, podiatry, or optometry in a State, fails to become licensed as a registered nurse in a State, or fails to meet any applicable licensure requirement in the case of any other health-care personnel who provide either direct patient-care services or services incident to direct patient-care services, during a period of time determined under regulations prescribed by the Secretary.

“(E) In the case of a participant who is a part-time student, the participant fails to maintain employment, while enrolled in the course of training being pursued by the participant, as a Department employee.

“(2) Liability under this subsection is in lieu of any service obligation arising under a participant's agreement.

“(c) **LIABILITY DURING PERIOD OF OBLIGATED SERVICE.**—(1) Except as provided in subsection (d), if a participant in the Program breaches the agreement by failing for any reason to complete such participant's period of obligated service, the United States shall be entitled to recover from the participant an amount determined in accordance with the following formula:

$$A = 3\Phi \left(\frac{t-s}{t} \right)$$

“(2) In such formula:

“(A) ‘A’ is the amount the United States is entitled to recover.

“(B) ‘Φ’ is the sum of—

“(i) the amounts paid under this subchapter to or on behalf of the participant; and

“(ii) the interest on such amounts which would be payable if at the time the amounts were paid they were loans bearing interest at the maximum legal prevailing rate, as determined by the Treasurer of the United States.

“(C) ‘t’ is the total number of months in the participant's period of obligated service, including any additional period of obligated service in accordance with section 7673(c)(2) of this title.

“(D) ‘s’ is the number of months of such period served by the participant in accordance with section 7673 of this title.

“(d) **LIMITATION ON LIABILITY FOR REDUCTIONS-IN-FORCE.**—Liability shall not arise under subsection (b)(1)(E) or (c) in the case of a participant otherwise covered by the subsection concerned if the participant fails to maintain employment as a Department employee due to a staffing adjustment.

“(e) **PERIOD FOR PAYMENT OF DAMAGES.**—Any amount of damages which the United States is entitled to recover under this section shall be paid to the United States within the one-year period beginning on the date of the breach of the agreement.

“§ 7676. Expiration of program

“The Secretary may not furnish scholarships to individuals who have not commenced participation in the Program before December 31, 2001.”

(b) **CLERICAL AMENDMENT.**—The table of sections at the beginning of such chapter is amended by adding at the end the following new items:

“SUBCHAPTER VI—EMPLOYEE INCENTIVE SCHOLARSHIP PROGRAM

“7671. Authority for program.

“7672. Eligibility; agreement.

“7673. Scholarship.

“7674. Obligated service.

“7675. Breach of agreement; liability.

“7676. Expiration of program.”

SEC. 803. EDUCATION DEBT REDUCTION PROGRAM FOR VETERANS HEALTH ADMINISTRATION HEALTH PROFESSIONALS.

(a) **PROGRAM AUTHORITY.**—Chapter 76 (as amended by section 802(a)), is further amended by adding after subchapter VI the following new subchapter:

“SUBCHAPTER VII—EDUCATION DEBT REDUCTION PROGRAM

“§ 7681. Authority for program

“(a) **IN GENERAL.**—(1) As part of the Educational Assistance Program, the Secretary may carry out an education debt reduction program under this subchapter. The program shall be known as the Department of Veterans Affairs Education Debt Reduction Program (hereinafter in this subchapter referred to as the ‘Education Debt Reduction Program’).

“(2) The purpose of the Education Debt Reduction Program is to assist in the recruitment of qualified health care professionals for positions in the Veterans Health Administration for which recruitment or retention of an adequate supply of qualified personnel is difficult.

“(b) **RELATIONSHIP TO EDUCATIONAL ASSISTANCE PROGRAM.**—Education debt reduction payments under the Education Debt Reduction Program may be in addition to other assistance available to individuals under the Educational Assistance Program.

“§ 7682. Eligibility

“(a) **ELIGIBILITY.**—An individual is eligible to participate in the Education Debt Reduction Program if the individual—

“(1) is a recently appointed employee in the Veterans Health Administration serving under an appointment under section 7402(b) of this title in a position for which recruitment or retention of a qualified health-care personnel (as determined by the Secretary) is difficult; and

“(2) owes any amount of principal or interest under a loan, the proceeds of which were used by or on behalf of that individual to pay costs relating to a course of education or training which led to a degree that qualified the individual for the position referred to in paragraph (1).

“(b) **COVERED COSTS.**—For purposes of subsection (a)(2), costs relating to a course of education or training include—

“(1) tuition expenses;

“(2) all other reasonable educational expenses, including expenses for fees, books, and laboratory expenses; and

“(3) reasonable living expenses.

“(c) **RECENTLY APPOINTED INDIVIDUALS.**—For purposes of subsection (a), an individual shall be considered to be recently appointed to a position if the individual has held that position for less than six months.

“§ 7683. Education debt reduction

“(a) **IN GENERAL.**—Education debt reduction payments under the Education Debt Reduction Program shall consist of payments to individuals selected to participate in the program of amounts to reimburse such individuals for payments by such individuals of principal and interest on loans described in section 7682(a)(2) of this title.

“(b) **FREQUENCY OF PAYMENT.**—(1) The Secretary may make education debt reduction payments to any given participant in the Education Debt Reduction Program on a monthly or annual basis, as determined by the Secretary.

“(2) The Secretary shall make such payments at the end of the period determined by the Secretary under paragraph (1).

“(c) **PERFORMANCE REQUIREMENT.**—The Secretary may make education debt reduc-

tion payments to a participant in the Education Debt Reduction Program for a period only if the Secretary determines that the individual maintained an acceptable level of performance in the position or positions served by the participant during the period.

“(d) **MAXIMUM ANNUAL AMOUNT.**—(1) Subject to paragraph (2), the amount of education debt reduction payments made to a participant for a year under the Education Debt Reduction Program may not exceed—

“(A) \$6,000 for the first year of the participant's participation in the Program;

“(B) \$8,000 for the second year of the participant's participation in the Program; and

“(C) \$10,000 for the third year of the participant's participation in the Program.

“(2) The total amount payable to a participant in such Program for any year may not exceed the amount of the principal and interest on loans referred to in subsection (a) that is paid by the individual during such year.

“§ 7684. Expiration of program

“The Secretary may not make education debt reduction payments to individuals who have not commenced participation in the Education Debt Reduction Program before December 31, 2001.”

(b) **CLERICAL AMENDMENT.**—The table of sections at the beginning of such chapter (as amended by section 802(b)) is further amended by adding at the end the following new items:

“SUBCHAPTER VII—EDUCATION DEBT REDUCTION PROGRAM

“7681. Authority for program.

“7682. Eligibility.

“7683. Education debt reduction.

“7684. Expiration of program.”

SEC. 804. REPEAL OF PROHIBITION ON PAYMENT OF TUITION LOANS.

Section 523(b) of the Veterans Health Care Act of 1992 (Public Law 102-585; 106 Stat. 4959; 38 U.S.C. 7601 note) is repealed.

SEC. 805. CONFORMING AMENDMENTS.

Chapter 76 is amended as follows:

(1) Section 7601(a) is amended—

(A) by striking out “and” at the end of paragraph (2);

(B) by striking out the period at the end of paragraph (3) and inserting in lieu thereof a semicolon; and

(C) by adding at the end the following new paragraphs:

“(4) the employee incentive scholarship program provided for in subchapter VI of this chapter; and”; and

“(5) the education debt reduction program provided for in subchapter VII of this chapter.”

(2) Section 7602 is amended—

(A) in subsection (a)(1)—

(i) by striking out “subchapter I or II” and inserting in lieu thereof “subchapter II, III, or VI”; and

(ii) by striking out “or for which” and inserting in lieu thereof “, for which”; and

(iii) by inserting before the period at the end the following: “, or for which a scholarship may be awarded under subchapter VI of this chapter, as the case may be”; and

(B) in subsection (b), by striking out “subchapter I or II” and inserting in lieu thereof “subchapter II, III, or VI”.

(3) Section 7603 is amended—

(A) in subsection (a)—

(i) by striking out “To apply to participate in the Educational Assistance Program,” and inserting in lieu thereof “(1) To apply to participate in the Educational Assistance Program under subsection II, III, V, or VI of this chapter.”; and

(ii) by adding at the end the following:

“(2) To apply to participate in the Educational Assistance Program under subchapter VII of this chapter, an individual shall submit to the Secretary an application for such participation.”; and

(B) in subsection (b)(1), by inserting "(if required)" before the period at the end.

(4) Section 7604 is amended by striking out "subchapter II, III, or V" in paragraphs (1)(A), (2)(D), and (5) and inserting in lieu thereof "subchapter II, III, V, or VI".

(5) Section 7632 is amended—

(A) in paragraph (1)—

(i) by striking out "and the Tuition Reimbursement Program" and inserting in lieu thereof "the Tuition Reimbursement Program, the Employee Incentive Scholarship Program, and the Education Debt Reduction Program"; and

(ii) by inserting "(if any)" after "number of students";

(B) in paragraph (2), by inserting "(if any)" after "education institutions"; and

(C) in paragraph (4)—

(i) by striking "and per participant" and inserting in lieu thereof "per participant"; and

(ii) by inserting "per participant in the Employee Incentive Scholarship Program, and per participant in the Education Debt Reduction Program" before the period at the end.

(6) Section 7636 is amended by striking "or a stipend" and inserting "a stipend, or education debt reduction".

SEC. 806. COORDINATION WITH APPROPRIATIONS PROVISION.

This title shall be considered to be the authorizing legislation referred to in the third proviso under the heading "VETERANS HEALTH ADMINISTRATION—MEDICAL CARE" in title I of the Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 1999, and the reference in that proviso to the "Primary Care Providers Incentive Act" shall be treated as referring to this title.

TITLE IX—MISCELLANEOUS MEDICAL CARE AND MEDICAL ADMINISTRATION PROVISIONS

SEC. 901. EXAMINATIONS AND CARE ASSOCIATED WITH CERTAIN RADIATION TREATMENT.

(a) IN GENERAL.—Chapter 17 is amended by inserting after section 1720D the following new section:

"§ 1720E. Nasopharyngeal radium irradiation

"(a) The Secretary may provide any veteran a medical examination, and hospital care, medical services, and nursing home care, which the Secretary determines is needed for the treatment of any cancer of the head or neck which the Secretary finds may be associated with the veteran's receipt of nasopharyngeal radium irradiation treatments in active military, naval, or air service.

"(b) The Secretary shall provide care and services to a veteran under subsection (a) only on the basis of evidence in the service records of the veteran which document nasopharyngeal radium irradiation treatment in service, except that, notwithstanding the absence of such documentation, the Secretary may provide such care to a veteran who—

"(1) served as an aviator in the active military, naval, or air service before the end of the Korean conflict; or

"(2) underwent submarine training in active naval service before January 1, 1965."

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 1720D the following new item:

"1720E. Nasopharyngeal radium irradiation."

SEC. 902. EXTENSION OF AUTHORITY TO COUNSEL AND TREAT VETERANS FOR SEXUAL TRAUMA.

Section 1720D(a) is amended by striking out "December 31, 1998" in paragraphs (1) and (3) and inserting in lieu thereof "December 31, 2001".

SEC. 903. MANAGEMENT OF SPECIALIZED TREATMENT AND REHABILITATIVE PROGRAMS.

(a) STANDARDS OF JOB PERFORMANCE.—Section 1706(b) is amended—

(1) in paragraph (2), by striking out "April 1, 1997, April 1, 1998, and April 1, 1999" and inserting in lieu thereof "April 1, 1999, April 1, 2000, and April 1, 2001"; and

(2) by adding at the end the following new paragraph:

"(3)(A) To ensure compliance with paragraph (1), the Under Secretary for Health shall prescribe objective standards of job performance for employees in positions described in subparagraph (B) with respect to the job performance of those employees in carrying out the requirements of paragraph (1). Those job performance standards shall include measures of workload, allocation of resources, and quality-of-care indicators.

"(B) Positions described in this subparagraph are positions in the Veterans Health Administration that have responsibility for allocating and managing resources applicable to the requirements of paragraph (1).

"(C) The Under Secretary shall develop the job performance standards under subparagraph (A) in consultation with the Advisory Committee on Prosthetics and Special Disabilities Programs and the Committee on Care of Severely Chronically Mentally Ill Veterans."

(b) DEADLINE FOR PRESCRIBING STANDARDS.—The standards of job performance required by paragraph (3) of section 1706(b) of title 38, United States Code, as added by subsection (a), shall be prescribed not later than January 1, 1999.

SEC. 904. AUTHORITY TO USE FOR OPERATING EXPENSES OF DEPARTMENT OF VETERANS AFFAIRS MEDICAL FACILITIES AMOUNTS AVAILABLE BY REASON OF THE LIMITATION ON PENSION FOR VETERANS RECEIVING NURSING HOME CARE.

(a) IN GENERAL.—Section 5503(a)(1)(B) is amended by striking "Effective through September 30, 1997, any" in the second sentence and inserting "Any".

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect as of October 1, 1997.

SEC. 905. REPORT ON NURSE LOCALITY PAY.

(a) REPORT REQUIRED.—(1) Not later than February 1, 1999, the Secretary of Veterans Affairs shall submit to the Committees on Veterans' Affairs of the Senate and the House of Representatives a report assessing the system of locality-based pay for nurses established under the Department of Veterans Affairs Nurse Pay Act of 1990 (Public Law 101-366) and now set forth in section 7451 of title 38, United States Code.

(2) The Secretary shall submit with the report under paragraph (1) a copy of the report on the locality pay system prepared by the contractor pursuant to a contract with Systems Flow, Inc., that was entered into on May 22, 1998.

(b) MATTERS TO BE INCLUDED.—The report of the Secretary under subsection (a)(1) shall include the following:

(1) An assessment of the effects of the locality-based pay system, including information, shown by facility and grade level, regarding the frequency and percentage increases, if any, in the rate of basic pay under that system of nurses employed in the Veterans Health Administration.

(2) An assessment of the manner in which that system is being applied.

(3) Plans and recommendations of the Secretary for administrative and legislative improvements or revisions to the locality pay system.

(4) An explanation of the reasons for any decision not to adopt any recommendation in the report referred to in subsection (a)(2).

(c) UPDATED REPORT.—Not later than February 1, 2000, the Secretary shall submit to the Committees on Veterans' Affairs of the Senate and House of Representatives a report updating the report submitted under subsection (a)(1).

SEC. 906. ANNUAL REPORT ON PROGRAM AND EXPENDITURES OF DEPARTMENT OF VETERANS AFFAIRS FOR DOMESTIC RESPONSE TO WEAPONS OF MASS DESTRUCTION.

(a) IN GENERAL.—Subchapter II of chapter 5 is amended by adding at the end the following new section:

"§ 530. Annual report on program and expenditures for domestic response to weapons of mass destruction

"(a) The Secretary shall submit to the Committees on Veterans' Affairs of the Senate and House of Representatives an annual report, to be submitted each year at the time that the President submits the budget for the next fiscal year under section 1105 of title 31, on the activities of the Department relating to preparation for, and participation in, a domestic medical response to an attack involving weapons of mass destruction.

"(b) Each report under subsection (a) shall include the following:

"(1) A statement of the amounts of funds and the level of personnel resources (stated in terms of full-time equivalent employees) expected to be used by the Department during the next fiscal year in preparation for a domestic medical response to an attack involving weapons of mass destruction, including the anticipated source of those funds and any anticipated shortfalls in funds or personnel resources to achieve the tasks assigned the Department by the President in connection with preparation for such a response.

"(2) A detailed statement of the funds expended and personnel resources (stated in terms of full-time equivalent employees) used during the fiscal year preceding the fiscal year during which the report is submitted in preparation for a domestic medical response to an attack involving weapons of mass destruction or in response to such an attack, including identification of the source of those funds and a description of how those funds were expended.

"(3) A detailed statement of the funds expended and expected to be expended, and the personnel resources (stated in terms of full-time equivalent employees) used and expected to be used, during the fiscal year during which the report is submitted in preparation for a domestic medical response to an attack involving weapons of mass destruction or in response to such an attack, including identification of the source of funds expended and a description of how those funds were expended.

"(c) This section shall expire on January 1, 2009."

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 529 the following new item:

"530. Annual report on program and expenditures for domestic response to weapons of mass destruction."

SEC. 907. INTERIM APPOINTMENT OF UNDER SECRETARY FOR HEALTH.

The President may appoint to the position of Under Secretary for Health of the Department of Veterans Affairs, for service through June 30, 1999, the individual whose appointment to that position under section 305 of title 38, United States Code, expired on September 28, 1998.

TITLE X—OTHER MATTERS

SEC. 1001. REQUIREMENT FOR NAMING OF DEPARTMENT PROPERTY.

(a) IN GENERAL.—(1) Subchapter II of chapter 5, as amended by section 906(a), is further

amended by adding at the end the following new section:

"§ 531. Requirement relating to naming of Department property

"Except as expressly provided by law, a facility, structure, or real property of the Department, and a major portion (such as a wing or floor) of any such facility, structure, or real property, may be named only for the geographic area in which the facility, structure, or real property is located."

(2) The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 530, as added by section 906(b), the following new item:

"531. Requirement relating to naming of Department property."

(b) EFFECTIVE DATE.—Section 531 of title 38, United States Code, as added by subsection (a)(1), shall apply with respect to the assignment or designation of the name of a facility, structure, or real property of the Department of Veterans Affairs (or of a major portion thereof) after the date of the enactment of this Act.

SEC. 1002. MEMBERS OF THE BOARD OF VETERANS' APPEALS.

(a) REQUIREMENT FOR BOARD MEMBERS TO BE ATTORNEYS.—Section 7101A(a) is amended—

(1) by inserting "(1)" after "(a)"; and

(2) by adding at the end the following new paragraph:

"(2) Each member of the Board shall be a member in good standing of the bar of a State."

(b) EMPLOYMENT REVERSION RIGHTS.—Paragraph (2) of section 7101A(d) is amended to read as follows:

"(2)(A) Upon removal from the Board under paragraph (1) of a member of the Board who before appointment to the Board served as an attorney in the civil service, the Secretary shall appoint that member to an attorney position at the Board, if the removed member so requests. If the removed member served in an attorney position at the Board immediately before appointment to the Board, appointment to an attorney position under this paragraph shall be in the grade and step held by the removed member immediately before such appointment to the Board.

"(B) The Secretary is not required to make an appointment to an attorney position under this paragraph if the Secretary determines that the member of the Board removed under paragraph (1) is not qualified for the position."

SEC. 1003. FLEXIBILITY IN DOCKETING AND HEARING OF APPEALS BY BOARD OF VETERANS' APPEALS.

(a) FLEXIBILITY IN ORDER OF CONSIDERATION AND DETERMINATION.—Subsection (a) of section 7107 is amended—

(1) in paragraph (1), by inserting "in paragraphs (2) and (3) and" after "Except as provided";

(2) in paragraph (2), by striking out the second sentence and inserting in lieu thereof the following: "Any such motion shall set forth succinctly the grounds upon which the motion is based. Such a motion may be granted only—

"(A) if the case involves interpretation of law of general application affecting other claims;

"(B) if the appellant is seriously ill or is under severe financial hardship; or

"(C) for other sufficient cause shown."; and

(3) by adding at the end the following new paragraph:

"(3) A case referred to in paragraph (1) may be postponed for later consideration and determination if such postponement is necessary to afford the appellant a hearing."

(b) SCHEDULING OF FIELD HEARINGS.—Subsection (d) of such section is amended—

(1) in paragraph (2), by striking out "in the order" and all that follows through the end and inserting in lieu thereof "in accordance with the place of the case on the docket under subsection (a) relative to other cases on the docket for which hearings are scheduled to be held within that area."; and

(2) by striking out paragraph (3) and inserting in lieu thereof the following new paragraph (3):

"(3) A hearing to be held within an area served by a regional office of the Department may, for cause shown, be advanced on motion for an earlier hearing. Any such motion shall set forth succinctly the grounds upon which the motion is based. Such a motion may be granted only—

"(A) if the case involves interpretation of law of general application affecting other claims;

"(B) if the appellant is seriously ill or is under severe financial hardship; or

"(C) for other sufficient cause shown."

SEC. 1004. DISABLED VETERANS OUTREACH PROGRAM SPECIALISTS.

(a) IN GENERAL.—Section 4103A(a)(1) is amended—

(1) in the first sentence, by striking out "for each 6,900 veterans residing in such State" through the period and inserting in lieu thereof "for each 7,400 veterans who are between the ages of 20 and 64 residing in such State.";

(2) in the third sentence, by striking out "of the Vietnam era"; and

(3) by striking out the fourth sentence.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to appointments of disabled veterans' outreach program specialists under section 4103A of title 38, United States Code, on or after the date of the enactment of this Act.

SEC. 1005. TECHNICAL AMENDMENTS.

(a) SECTION REDESIGNATION.—Section 1103, as added by section 8031(a) of the Veterans Reconciliation Act of 1997 (title VIII of Public Law 105-33), is redesignated as section 1104, and the item relating to that section in the table of sections at the beginning of chapter 11 is revised to reflect that redesignation.

(b) OTHER AMENDMENTS TO TITLE 38, U.S.C.—

(1) Section 712(a) is amended by striking out "the date of the enactment of this section" and inserting in lieu thereof "November 2, 1994."

(2) Section 1706(b)(1) is amended by striking out "the date of the enactment of this section" at the end of the first sentence and inserting in lieu thereof "October 9, 1996".

(3) Section 1710(e)(2)(A)(ii) is amended by striking out "section 2" and inserting in lieu thereof "section 3".

(4) Section 1803(c)(2) is amended by striking out "who furnishes health care that the Secretary determines authorized" and inserting in lieu thereof "furnishing health care services that the Secretary determines are authorized".

(5) Section 2408(d)(1) is amended—

(A) by striking out "the date of the enactment of this subsection" and inserting in lieu thereof "November 21, 1997."; and

(B) by striking out "on the condition described in" and inserting in lieu thereof "subject to the condition specified in".

(6) Section 3018B(a)(2)(E) is amended by striking out "before the one-year period beginning on the date of enactment of this section," and inserting in lieu thereof "before October 23, 1993,".

(7) Section 3231(a)(2) is amended by striking out "subsection (f)" and inserting in lieu thereof "subsection (e)".

(8) Section 3674A(b)(1) is amended by striking out "after the 18-month period beginning on the date of the enactment of this section".

(9) Section 3680A(d)(2)(C) is amended by striking out "section".

(10) Section 3714(f)(1)(B) is amended by striking out "more than 45 days after the date of the enactment of the Veterans' Benefits and Programs Improvement Act of 1988" and inserting in lieu thereof "after January 1, 1989".

(11) Section 3727(a) is amended by striking out "the date of enactment of this section" and inserting in lieu thereof "May 7, 1968".

(12) Section 3730(a) is amended by striking out "Within" and all that follows through "steps to" and inserting in lieu thereof "The Secretary shall".

(13) Section 4102A(e)(1) is amended by striking out the second sentence and inserting in lieu thereof the following: "A person may not be assigned after October 9, 1996, as such a Regional Administrator unless the person is a veteran."

(14) Section 4110A is amended—

(A) by striking out subsection (b); and

(B) by redesignating paragraph (3) of subsection (a) as subsection (b) and striking out "paragraph (1)" therein and inserting in lieu thereof "subsection (a)".

(15) Section 5303A(d) is amended—

(A) in paragraph (2)(B), by striking out "on or after the date of the enactment of this subsection" and inserting in lieu thereof "after October 13, 1982."; and

(B) in paragraph (3)(B)(i), by striking out "on or after the date of the enactment of this subsection," and inserting in lieu thereof "after October 13, 1982,".

(16) Section 5313(d)(1) is amended by striking out "the date of the enactment of this section," and inserting in lieu thereof "October 7, 1980,".

(17) Section 5315(b)(1) is amended by striking out "the date of the enactment of this section," and inserting in lieu thereof "October 17, 1980,".

(18) Section 8107(b)(3)(E) is amended by striking out "section 7305" and inserting in lieu thereof "section 7306(f)(1)(A)".

(c) PUBLIC LAW 104-275.—The Veterans' Benefits Improvements Act of 1996 (Public Law 104-275) is amended as follows:

(1) Section 303(b) (110 Stat. 3332; 38 U.S.C. 4104 note) is amended by striking out "sections 4104(b)(1) and (c)" and inserting in lieu thereof "subsections (b)(1) and (c) of section 4104".

(2) Section 705(e) (110 Stat. 3350; 38 U.S.C. 545 note) is amended by striking out "section 5316" and inserting in lieu thereof "section 5315".

TITLE XI—COMPENSATION COST-OF-LIVING ADJUSTMENT

SEC. 1101. INCREASE IN RATES OF DISABILITY COMPENSATION AND DEPENDENCY AND INDEMNITY COMPENSATION.

(a) RATE ADJUSTMENT.—The Secretary of Veterans Affairs shall, effective on December 1, 1998, increase the dollar amounts in effect for the payment of disability compensation and dependency and indemnity compensation by the Secretary, as specified in subsection (b).

(b) AMOUNTS TO BE INCREASED.—The dollar amounts to be increased pursuant to subsection (a) are the following:

(1) COMPENSATION.—Each of the dollar amounts in effect under section 1114 of title 38, United States Code.

(2) ADDITIONAL COMPENSATION FOR DEPENDENTS.—Each of the dollar amounts in effect under sections 1115(1) of such title.

(3) CLOTHING ALLOWANCE.—The dollar amount in effect under section 1162 of such title.

(4) NEW DIC RATES.—The dollar amounts in effect under paragraphs (1) and (2) of section 1311(a) of such title.

(5) OLD DIC RATES.—Each of the dollar amounts in effect under section 1311(a)(3) of such title.

(6) ADDITIONAL DIC FOR SURVIVING SPOUSES WITH MINOR CHILDREN.—The dollar amount in effect under section 1311(b) of such title.

(7) ADDITIONAL DIC FOR DISABILITY.—The dollar amounts in effect under sections 1311(c) and 1311(d) of such title.

(8) DIC FOR DEPENDENT CHILDREN.—The dollar amounts in effect under sections 1313(a) and 1314 of such title.

(c) DETERMINATION OF INCREASE.—(1) The increase under subsection (a) shall be made in the dollar amounts specified in subsection (b) as in effect on November 30, 1998.

(2) Except as provided in paragraph (3), each such amount shall be increased by the same percentage as the percentage by which benefit amounts payable under title II of the Social Security Act (42 U.S.C. 401 et seq.) are increased effective December 1, 1998, as a result of a determination under section 215(i) of such Act (42 U.S.C. 415(i)).

(3) Each dollar amount increased pursuant to paragraph (2) shall, if not a whole dollar amount, be rounded down to the next lower whole dollar amount.

(d) SPECIAL RULE.—The Secretary may adjust administratively, consistent with the increases made under subsection (a), the rates of disability compensation payable to persons within the purview of section 10 of Public Law 85-857 (72 Stat. 1263) who are not in receipt of compensation payable pursuant to chapter 11 of title 38, United States Code. **SEC. 1102. PUBLICATION OF ADJUSTED RATES.**

At the same time as the matters specified in section 215(i)(2)(D) of the Social Security Act (42 U.S.C. 415(i)(2)(D)) are required to be published by reason of a determination made under section 215(i) of such Act during fiscal year 1998, the Secretary of Veterans Affairs shall publish in the Federal Register the amounts specified in subsection (b) of section 1101, as increased pursuant to that section.

Pending consideration of said resolution.

The SPEAKER pro tempore, Mr. CALVERT, recognized Mr. STUMP and Mr. EVANS, each for 20 minutes.

On motion of Mr. STUMP, by unanimous consent,

Ordered, That the time for debate on the bill be limited to 5 minutes on each side.

After debate,

The question being put, *viva voce*,

Will the House suspend the rules and agree to the resolution?

The SPEAKER pro tempore, Mr. CALVERT, announced that two-thirds of the Members present had voted in the affirmative.

Mr. STUMP demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. CALVERT, pursuant to clause 5, rule I, announced that further proceedings on the motion were postponed.

¶107.9 PRIVILEGES OF THE HOUSE

Mr. VISCLOSKEY rose to a question of the privileges of the House and submitted the following resolution:

A resolution, in accordance with House Rule IX, Clause 1, expressing the sense of the House that its integrity has been impugned because the anti-dumping provisions of the Trade and Tariff Act of 1930, (Subtitle B of title VII) have not been expeditiously enforced;

Whereas the current financial crises in Asia, Russia, and other regions have in-

volved massive depreciation in the currencies of several key steel-producing and steel consuming countries, along with a collapse in the domestic demand for steel in these countries; Whereas the crises have generated and will continue to generate surges in United States imports of steel, both from the countries whose currencies have depreciated in the crisis and from steel producing countries that are no longer able to export steel to the countries in economic crisis;

Whereas United States imports of finished steel mill products from Asian steel producing countries—the People's Republic of China, Japan, Korea, India, Taiwan, Indonesia, Thailand, and Malaysia—have increased by 79 percent in the first 5 months of 1998 compared to the same period in 1997;

Whereas year-to-date imports of steel from Russia now exceed the record import levels of 1997, and steel imports from Russia and Ukraine now approach 2,500,000 net tons;

Whereas foreign government trade restrictions and private restraints of trade distort international trade and investment patterns and result in burdens on United States commerce, including absorption of a disproportionate share of diverted steel trade;

Whereas the European Union, for example, despite also being a major economy, in 1997 imported only one-tenth as much finished steel products from Asian steel producing countries as the United States did and has restricted imports of steel from the Commonwealth of Independent States, including Russia;

Whereas the United States is simultaneously facing a substantial increase in steel imports from countries within the Commonwealth of Independent States, including Russia, caused in part by the closure of Asian markets;

Whereas there is a well-recognized need for improvements in the enforcement of United States trade laws to provide an effective response to such situations: Now, therefore, be it

Resolved by the House of Representatives, That the House of Representatives calls upon the President to—

(1) take all necessary measures to respond to the surge of steel imports resulting from the financial crises in Asia, Russia, and other regions, and for other purposes;

(2) pursue enhanced enforcement of United States trade laws with respect to the surge of steel imports into the United States, using all remedies available under those laws including offsetting duties, quantitative restraints, and other authorized remedial measures as appropriate;

(3) pursue with all tools at his disposal a more equitable sharing of the burden of accepting imports of finished steel products from Asia and the countries within the Commonwealth of Independent States;

(4) establish a task force within the executive branch with responsibility for closely monitoring United States imports of steel; and

(5) report to the Congress by no later than January 5, 1999, with a comprehensive plan for responding to this import surge, including ways of limiting its deleterious effects on employment, prices, and investment in the United States steel industry.

The SPEAKER pro tempore, Mr. CALVERT, recognized Members who desired to be heard on whether the resolution presented a question of privileges of the House.

Mr. VISCLOSKEY was recognized and said:

“Mr. Speaker, I offer this question of privilege to bring attention to a catastrophic situation facing this Nation. The trade laws that the Congress has

enacted over the last 60 years are designed to ensure that American workers are not hurt by unfair and illegal trade practices. Congressional intent, as represented by the Trade and Tariff Act of 1930, is being ignored at the present time.

“The U.S. steel industry and its workers are suffering because the Asian and Russian financial crises have led those countries to dump their steel on our market. The U.S. has been reluctant to stop this illegal practice. Steel that was formerly produced for domestic consumption in Asia is now being shipped to the United States where it is sold at prices below the cost of production. Steel prices in the United States have fallen 20 percent in the last 3 months alone.

“The European Union has protected itself and its steel industry against dumping by erecting temporary barriers to steel imports during the crisis. Their steel industry is weathering the storm. In America, the demand for domestic steel has decreased dramatically in mills in Alabama, West Virginia, Utah, Ohio, Iowa, Indiana, and workers have been laid off because of the decreased demand for American steel. American workers should not have to pay the price of the administration's refusal to enforce trade laws which the Congress has enacted and supports. This impinges on the integrity of this House.

“American steel workers, the most efficient in the world, cannot continue to be besieged by foreign steel products while waiting indefinitely for trade cases to be settled. Damage to the American steel industry is extensive, severe and rapidly growing. We need to protect our American steel workers by stemming the tide of illegally dumped steel, and the administration's failure to act again directly impinges on the integrity of this House.”

Mr. BERRY was recognized and said:

“Mr. Speaker, I rise today to talk about the steel crisis that is escalating out of control and is having a devastating effect on the people of the First Congressional District of Arkansas as well as people around the country. I am a free trader so long as the rules of free trade are rigorously enforced. Fair trade is imperative to support free trade.

“What is not fair is the export of the Asian and Russian crisis to our shores. Currently Japanese and Russian and other foreign steel companies are unable to sell their excess capacity at home. These foreign steel producers are dumping their products on the U.S. market by selling at prices less than their cost and below those in their home markets.

“As a result, this growing steel import crisis is causing injury to our domestic steel companies and the industry. It is threatening the jobs of people in the First Congressional District of Arkansas and across America. As a result, the steel imports in May 1998 increased 28.5 percent from their level of

the previous year. Through June 1998 the imports from Japan were up 113.7 percent, while imports from Korea rose 89.5 percent.

"Mr. Speaker, we need to protect American workers and American industry by stopping the illegal dumping of steel from other countries. Now is the time to act. We have the responsibility and the opportunity to correct this problem, and I assure my colleagues that I will do everything I can to help. We can win, but we must fight."

Mr. TRAFICANT was recognized and said:

"Mr. Speaker, I am not addressing and will not address the deplorable plight and condition of the steel industry at this time. But I believe there are some precedents in legal arguments concerning the privileges of the House and its Members to advance privileged resolutions. I would like to make those arguments, and I want to make it clear through the legislative intent and history of today's request for a vote that we are challenging past precedents on the rulings and questions of privilege, and today's efforts are another step forward to bring back to the powers of the House those which the Constitution deems are within the jurisdictional authority of the House.

"Having said that, specifically article I, section 8 clearly states that Congress shall regulate commerce with foreign nations. Congress. Not the White House, not the Trade Rep, not the World Trade Organization. Although they can assist the Congress, they do not have the mandated authority to undertake the actions necessary for remedy in this condition. And I hope Congress is listening. I know they want to get out of here. But let us not talk about steel. Let us talk about the Constitution.

"Having said that, I believe that this matter of privilege today is within the scope of the United States House of Representatives for the following reasons. While I admit past precedents did not destroy the powers of Congress, the decisions of past Congresses, as upheld by the Chair, have diminished the Congress, specifically the House of the people. In that regard, the legal question is, if congressional powers are being diminished and there is a condition that does not lend itself to remedy by the House who has the mandated power to remedy, then the resolution must be heard on cause.

"So the Trafficant appeal is saying, by the nature of past decisions, Parliamentarians and the Chair have upheld denying the resolutions of privilege, while I maintain that decision has created a diminishing power and authority that is duly granted to the Constitution, duly granted to the Members of the House of Representatives, and strips us of those powers specifically. That is what my question of a ruling is on.

"In closing, ladies and gentlemen, this is more than some trickery here. I want to say this to every Member in

the House. We have delegated our authority. What we have not delegated has been usurped, and both sides of the aisle has allowed that to happen, and by not challenging this today and reversing past precedents, we in fact have diminished and destroyed what powers we are granted under the Constitution."

Mr. OBERSTAR was recognized and said:

"Mr. Speaker, I rise to be heard on the question of privilege.

"Mr. Speaker, the resolution under consideration, I believe, does constitute a question of privileges of the House, because the trade laws that the Congress has enacted over the last 60 years are designed to ensure that American workers are not hurt by unfair and illegal dumping of manufactured products, including steel. Congressional intent as represented by the Trade and Tariff Act of 1930, is being specifically ignored.

"This is not a partisan matter. It is a matter that concerns Members on both sides of the aisle. It is not a matter limited to the present administration in Washington, the Clinton administration. It is an issue that has spread over several administrations, going back to the 1970s, the Carter administration, later the Reagan administration, the Bush administration. This Congress, through our congressional steel caucus, on a bipartisan basis has advocated vigorous action against unfairly traded steel.

"Shortly after the end of World War II a famous American historian and journalist, John Gunther, wrote:

What makes America a great nation is the fact that it can roll over 90 million tons of steel ingots a year, more than Great Britain, prewar Germany, Japan, France and the Soviet Union combined.

"Gunther wrote: "This is a steel age."

"We still live in that steel age. Steel is still the most versatile building material in an industrial society. We are the world's most efficient producer of steel. American steel industry has lost 350,000 jobs over the last decade, has closed over 450 plants, modernized its facilities to the tune of \$50 billion of investment. We have gone from 10 man hours to produce a ton of steel in 1981 to 1½ to 3 hours depending on the type of steel today to produce a ton of steel compared with 4½ to 5 hours in Japan, 6½ hours in the European Union and 10 hours in Russia. And yet steel from those countries is being sold in the United States at below cost of production in the country of origin, and this administration, like previous administrations, until prodded by Congress, has not acted decisively to protect our domestic industry, our basic building block security industry.

"We need to act. This resolution that we propose as a point of privilege calls on the administration to act, we ought to bring that resolution to the House floor before this session of Congress adjourns, and I urge the Chair to rule in

the interests of working men and women of America in the steel valley, the Mon Valley of Pennsylvania-Ohio, and the taconite industry of northern Minnesota and northern Michigan and in the interest of America's standing in the world community as a powerful economic force."

Mr. NEY was recognized and said:

"Mr. Speaker, I stand today to support this Visclosky privileged resolution which expresses the sense of the House that the integrity of our anti-dumping provisions of the Trade and Tariff Act of 1930 have not been enforced.

"My colleague from Ohio (Mr. TRAFICANT) I think has eloquently and adequately expressed the ability of this Congress to consider this privileged resolution.

"Trade laws that were enacted 60 years ago, Mr. Speaker, were designed to protect American workers. That is what this government did. It designed laws to protect American workers so they are not hurt by unfair trade practices.

"The U.S. steel workers and the steel industry are suffering in one of the worst ways in recent modern times because the Asia and Russia financial crisis has led those countries to illegally dump their steel on the market. It could not be any clearer.

"Steel that was formerly produced for domestic consumption in Asia is now being shipped to the United States where it is sold at prices below the cost of production. Steel prices have fallen 20 percent in the last 3 months alone. The Europeans have protected itself and the steel industry against dumping by erecting temporary barriers on steel imports. So Europe has stood up for its workers; that is what Europe has done, Mr. Speaker. The European steel industry will weather the storm while the American steel industry and its workers are announcing new layoffs daily.

"We need to push for this resolution. We need to push the White House to do everything they can to stop illegal dumping practices that are damaging our steel industry.

"In closing, Mr. Speaker, I ask where is the Congress? Where is the White House? Where is the United States Government? Today we have a chance to answer those questions. We are here, by supporting the Visclosky resolution, to finally stand up for steel workers, to stand up for working Americans, to stand up for families in this country and to stand up for the United States. This is mandatory, it is a must, it is the right thing to do.

"Mr. Speaker, I support the Visclosky privileged resolution."

Mr. HINCHEY was recognized and said:

"Mr. Speaker, I would like to say a word on this resolution because I think the issue that is raised is critically important to the Members of this House and to the people of this country, and it is one that we ought to have a full and complete debate on. The reason I

say that is in recognition of the statements that have been made just a few moments ago with regard to the impact that the dumping of steel is having on congressional districts and the people in those congressional districts, the workers in those congressional districts and their families across the country. This is an aggravated symptom of a much larger problem however.

"Mr. Speaker, we are in the midst of a global economic crisis, and one of the features of that global economic crisis is the propensity of some nations in the world suffering the effects of deflation to attempt to dump their products, both manufactured products and commodities, on to the markets of other countries. We are in a most vulnerable position indeed to this particular activity, and we have not done nearly enough to protect our economy from the effects of this kind of dumping.

"One of the things that we ought to do immediately is to petition the Federal Reserve to reduce interest rates substantially so that we may buttress our economy from the effects of this kind of dumping and the larger effects of the global economic crisis.

"In addition to that, we have a major issue that is currently before the Congress with regard to the International Monetary Fund which this Congress has not yet addressed. We need to increase the funding for the IMF, and if we were to do so, that increase in funding would make it less likely that resolutions of this nature would have to be brought to the floor.

"We are in an important issue right now. We need to decide this issue, bring that question of IMF funding before on the floor so that we can have a full and complete debate on it.

The SPEAKER pro tempore. "The Chair would remind the Members that the issue before the Members is neither the advisability of the United States trade policy nor the actions of the administration on trade, but rather the procedural question of whether the resolution offered by the gentleman from Indiana constitutes a question of the privileges of the House under rule IX. The Chair would ask Members to confine their arguments to that issue."

Mr. KUCINICH was recognized and said:

"Mr. Speaker, I rise in favor of a privileged motion for H. Con. Resolution 328 which provides Congress with an opportunity to protect the American steel worker and the American steel industry. I am in concurrence with previous speakers who cited the Constitution of the United States with respect to Congress' ability to protect commerce in this country and to protect the jobs of the people whom we serve.

"Mr. Speaker, I think that we are here as a Congress to say that Congress needs to take action on the crisis posed by cheap subsidized steel imports from developing countries that are trying to earn foreign exchange to repay their

own onerous debts. American steel is under siege, and we need to stand up for American steel and for American jobs.

"So, therefore, I rise in favor of the privileged motion for H. Con. Resolution 328. I ask the Chair to grant the privileged motion. Otherwise I ask Members to vote for a motion to appeal a ruling of the Chair and vote for H. Con. Resolution 328. It is important that we stand up for America and stand up for American steel."

Mr. DOYLE was recognized and said:

"Mr. Speaker, I rise to be heard on the question of privilege offered by the gentleman from Indiana. The resolution under consideration constitutes a question of privilege of the House because trade laws enacted by the House over 60 years ago are being ignored. These laws were specifically designed to ensure that American workers are not hurt by unfair and illegal dumping of manufactured products including steel.

"I am sorry to say that the congressional intent, as represented by the Trade and Tariff Act of 1930, is specifically ignored. This is an external crisis caused by steel dumping in the U.S. by foreign producers for whom any price for steel is higher than the price they would get at home.

"Because of a result of the Asian and Russian financial crisis, there is no market for steel in their home countries. This is a crisis addressable by laws currently in effect which are not being enforced.

"U.S. steel remains very competitive. But steel was being dumped in the U.S. at below the cost of production, which is illegal and a violation of the laws that the Legislative Branch has enacted. U.S. trade laws are supposed to be enforced by the Executive Branch. The administration has failed to stop these illegal activities, and the dignity of this House is being impugned. I urge the support of the resolution."

The SPEAKER pro tempore, Mr. CALVERT, ruled that the resolution submitted did not present a question of the privileges of the House under rule IX, and said:

"The Chair is prepared to rule on whether the resolution offered by the gentleman from Indiana (Mr. VISCLOSKEY) presents a question of the privileges of the House under rule IX.

"The resolution offered by the gentleman from Indiana calls upon the President to address a trade imbalance in the area of steel imports. Specifically, the resolution calls upon the President to pursue enhanced enforcement of trade laws, to establish a task force on monitoring imports, and to submit a report to Congress by the date certain on that matter.

"A resolution expressing the legislative sentiment that the President should take specified action to achieve desired public policy end does not present the question affecting the rights of the House, collectively, its safety, dignity, or integrity of its proceedings as required under rule IX.

"In the opinion of the Chair, the resolution offered by the gentleman from Indiana is purely a legislative proposition, properly initiated through the introduction in the hopper under clause 4 of rule 22.

"The Chair will note a recent relevant precedent on this point. On February 7, 1995, Speaker GINGRICH ruled, consistent with the landmark ruling of May 6, 1921 by Speaker Gillett, that a resolution invoking the legislative powers enumerated in the Constitution and requiring a multifaceted evaluation and report by the Comptroller General on the proposed support of the Mexican pesos did not constitute the question of the privileges of the House.

"In his ruling, Speaker GINGRICH stated: 'Were the Chair to rule otherwise, then any alleged infringement by the Executive Branch, even, for example, through the regulatory process conferred on Congress by the Constitution would give rise to a question of the privileges of the House.'

"Although constitutional prerogatives have not been invoked in the text of the resolution before us today, the principle put forth in the 1995 ruling is nevertheless pertinent, as evidenced by the debate on this question. To permit a question of the privileges of the House addressing presidential trade policy through the mere invocation of the Constitution would permit any Member to advance virtually any legislative proposal as a question of the privileges of the House.

"Accordingly, the resolution offered by the gentleman from Indiana does not request constitute a question of the privileges of the House under rule IX and may not be considered at this time."

Mr. VISCLOSKEY appealed the ruling of the Chair.

Will the decision of the Chair stand as the judgment of the House?

Mr. DAVIS of Virginia, moved to lay the appeal on the table.

The question being put, viva voce,

Will the House lay on the table the appeal of the ruling of the Chair?

The SPEAKER pro tempore, Mr. CALVERT, announced that the yeas had it.

Mr. VISCLOSKEY objected to the vote on the ground that a quorum was not present and not voting.

A quorum not being present,

The roll was called under clause 4, rule XV, and the call was taken by electronic device.

When there appeared { Yeas 219
Nays 204

¶107.10

[Roll No. 512]

YEAS—219

Aderholt	Bateman	Bryant
Archer	Bereuter	Bunning
Armey	Bilbray	Burr
Bachus	Bilirakis	Burton
Baker	Bliley	Buyer
Ballenger	Blunt	Callahan
Barr	Boehlert	Calvert
Barrett (NE)	Boehner	Camp
Bartlett	Bonilla	Campbell
Barton	Bono	Canady
Bass	Brady (TX)	Cannon

Castle
Chabot
Chambliss
Chenoweth
Christensen
Coble
Coburn
Combest
Cook
Cooksey
Cox
Crane
Crapo
Cubin
Cunningham
Davis (VA)
Deal
DeLay
Diaz-Balart
Dickey
Doolittle
Dreier
Duncan
Dunn
Ehlers
Ehrlich
Emerson
English
Ensign
Everett
Ewing
Fawell
Foley
Forbes
Fossella
Fowler
Fox
Franks (NJ)
Frelinghuysen
Gallegly
Ganske
Gekas
Gibbons
Gilchrist
Gillmor
Gilman
Goodlatte
Goodling
Goss
Graham
Granger
Greenwood
Gutknecht
Hansen
Hastert
Hastings (WA)
Hayworth
Hefley
Herger
Hill
Hilleary
Hobson

Hoekstra
Hostettler
Houghton
Hulshof
Hunter
Hutchinson
Hyde
Inglis
Istook
Jenkins
Johnson (CT)
Johnson, Sam
Jones
Kasich
Kelly
Kim
King (NY)
Kingston
Klug
Knollenberg
Kolbe
LaHood
Largent
Latham
LaTourette
Leach
Lewis (CA)
Lewis (KY)
Linder
Livingston
LoBiondo
Lucas
Manzullo
McCollum
McCrery
McDade
McHugh
McInnis
McIntosh
McKeon
Mica
Miller (FL)
Moran (KS)
Morella
Myrick
Northup
Norwood
Nussle
Oxley
Packard
Pappas
Paul
Paxon
Pease
Peterson (PA)
Petri
Pickering
Pitts
Pombo
Porter
Portman
Quinn

NAYS—204

Abercrombie
Ackerman
Allen
Andrews
Baesler
Baldacci
Barcia
Barrett (WI)
Becerra
Bentsen
Berry
Bishop
Blagojevich
Blumenauer
Bonior
Borski
Boswell
Boyd
Brady (PA)
Brown (CA)
Brown (FL)
Brown (OH)
Capps
Cardin
Carson
Clay
Clayton
Clement
Clyburn
Condit
Conyers
Costello
Coyne
Cramer
Cummings
Danner

Radanovich
Ramstad
Redmond
Regula
Riggs
Riley
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Roukema
Royce
Ryun
Salmon
Sanford
Saxton
Scarborough
Schaefer, Dan
Schaffer, Bob
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Shimkus
Leach
Skaggs
Skeen
Smith (MI)
Smith (NJ)
Smith (OR)
Smith (TX)
Smith, Linda
Snowbarger
Solomon
Souder
Spence
Stearns
Stump
Sununu
Talent
Tauzin
Taylor (NC)
Thomas
Thornberry
Thune
Tiahrt
Upton
Walsh
Wamp
Watkins
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
White
Whitfield
Wicker
Wilson
Wolf
Young (AK)
Young (FL)

Maloney (CT)
Maloney (NY)
Manton
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McDermott
McGovern
McHale
McIntyre
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Metcalf
Millender-
McDonald
Miller (CA)
Minge
Mink
Moakley
Mollohan
Moran (VA)
Murtha
Nadler
Neal
Neumann
Ney

Berman
Boucher
Collins
Hefner

Oberstar
Obey
Oliver
Ortiz
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Peterson (MN)
Pickett
Pomeroy
Price (NC)
Rahall
Reyes
Rivers
Rodriguez
Roemer
Rothman
Roybal-Allard
Rush
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Schumer
Scott
Serrano
Sherman
Sisisky
Skelton

NOT VOTING—11

Kennelly
Lazio
Nethercutt
Parker

Slaughter
Smith, Adam
Snyder
Spratt
Stabenow
Stark
Stenholm
Stokes
Strickland
Stupak
Tanner
Tauscher
Taylor (MS)
Thompson
Thurman
Tierney
Torres
Towns
Traficant
Turner
Velazquez
Vento
Visclosky
Waters
Watt (NC)
Waxman
Wexler
Weygand
Wise
Woolsey
Wynn
Yates

Poshard
Pryce (OH)
Rangel

Forbes
Fossella
Fowler
Fox
Franks (NJ)
Frelinghuysen
Gallegly
Ganske
Gekas
Gibbons
Gilchrist
Gillmor
Gilman
Goodlatte
Goodling
Goss
Graham
Granger
Greenwood
Gutknecht
Hansen
Hastert
Hastings (WA)
Hayworth
Hefley
Herger
Hill
Hilleary
Hobson
Hoekstra
Horn
Hostettler
Houghton
Hulshof
Hunter
Hutchinson
Hyde
Inglis
Istook
Jenkins
Johnson (CT)
Johnson, Sam
Jones
Kasich
Kelly
Kim
King (NY)
Kingston
Klug
Knollenberg
Kolbe
LaHood

Largent
Latham
LaTourette
Leach
Lewis (CA)
Lewis (KY)
Linder
Livingston
LoBiondo
Lucas
Manzullo
McCollum
McCrery
McDade
McHugh
McInnis
McIntosh
McKeon
Mica
Miller (FL)
Moran (KS)
Morella
Myrick
Neumann
Ney
Northup
Norwood
Nussle
Oxley
Packard
Pappas
Paul
Paxon
Pease
Peterson (PA)
Petri
Pickering
Pitts
Pombo
Porter
Portman
Quinn
Radanovich
Ramstad
Redmond
Regula
Riggs
Riley
Rogan
Rogers
Rohrabacher
Ros-Lehtinen

NAYS—201

Abercrombie
Ackerman
Allen
Andrews
Baesler
Baldacci
Barcia
Barrett (WI)
Becerra
Bentsen
Berry
Bishop
Blagojevich
Blumenauer
Bonior
Borski
Boswell
Boyd
Brady (PA)
Brown (CA)
Brown (FL)
Brown (OH)
Capps
Cardin
Carson
Clay
Clayton
Clement
Clyburn
Condit
Conyers
Costello
Coyne
Cramer
Cummings
Danner
Davis (FL)
Davis (IL)
DeFazio
DeGette
Johnson (WI)
Johnson, E. B.
Kanjorski
Kaptur
Kennedy (MA)
Kennedy (RI)
Kildee
Kilpatrick
Kind (WI)
Kleckza
Klink
Kucinich
LaFalce
Lampson
Lantos
Lee
Levin
Lewis (GA)
Lipinski
Lofgren
Lowey
Luther
Maloney (CT)
Maloney (NY)
Manton
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McDermott
McGovern
McHale
McIntyre
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Millender-
McDonald
Miller (CA)
Minge
Mink
Moakley
Mollohan
Moran (VA)
Murtha
Nadler
Neal
Oberstar

So the motion to lay the appeal of the ruling of the Chair on the table was agreed to.

A motion to reconsider the vote whereby said motion was agreed to was, by unanimous consent, laid on the table.

107.11 H. RES. 589—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. CALVERT, pursuant to clause 5, rule I, announced the unfinished business to be the question on the motion on ordering the previous question on the resolution (H. Res. 589) waiving a requirement of clause 4(b) of rule XI with respect to consideration of certain resolutions reported from the Committee on Rules, and for other purposes.

The question being put,

Will the House suspend the rules and agree to said motion?

The vote was taken by electronic device.

It was decided in the { Yeas 221
affirmative } Nays 201

107.12 [Roll No. 513] YEAS—221

Aderholt
Archer
Armey
Bachus
Baker
Balleger
Barr
Barrett (NE)
Bartlett
Barton
Bass
Bateman
Bereuter
Bilbray
Bilirakis
Bliley
Blunt
Boehlert
Boehner
Bonilla
Bono
Brady (TX)

Bryant
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Cannon
Castle
Chabot
Chambliss
Chenoweth
Christensen
Coble
Coburn
Combest
Cook
Cooksey
Cox

Crane
Crapo
Cubin
Cunningham
Davis (VA)
Deal
DeLay
Diaz-Balart
Dickey
Doolittle
Dreier
Duncan
Dunn
Ehlers
Ehrlich
Emerson
English
Ensign
Everett
Ewing
Fawell
Foley

Obey
Oliver
Ortiz
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Peterson (MN)
Pickett
Pomeroy
Price (NC)
Rahall
Reyes
Rivers
Rodriguez
Roemer
Rothman
Roybal-Allard
Rush
Sabo

Sanchez
Sandlin
Sawyer
Schumer
Scott
Serrano
Sherman
Sisisky
Skaggs
Skelton
Slaughter
Smith, Adam
Snyder
Spratt
Stabenow
Stark
Stenholm
Stokes
Strickland
Stupak
Tanner

Tauscher
Taylor (MS)
Thompson
Thurman
Tierney
Torres
Towns
Traficant
Turner
Velazquez
Vento
Visclosky
Waters
Watt (NC)
Waxman
Wexler
Weygand
Wise
Woolsey
Wynn
Yates

NOT VOTING—12

Berman
Boucher
Collins
Hefner

Kennelly
Lazio
Metcalf
Nethercutt

Parker
Poshard
Pryce (OH)
Rangel

So the previous question on the resolution was ordered.

The question being put, viva voce,

Will the House agree to said resolution?

The SPEAKER pro tempore, Mr. CALVERT, announced that the yeas had it.

So the resolution was agreed to.

A motion to reconsider the vote whereby said resolution was agreed to was, by unanimous consent, laid on the table.

¶107.13 H. RES. 588—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. CALVERT, pursuant to clause 5, rule I, announced the unfinished business to be the question on agreeing to the resolution (H. Res. 588) providing for consideration of the bill (H.R. 4761) to require the United States Trade Representative to take certain actions in response to the failure of the European Union to comply with the rulings of the World Trade Organization.

The question being put,

Will the House agree to said resolution?

The vote was taken by electronic device.

It was decided in the { Yeas 243
affirmative { Nays 179

¶107.14 [Roll No. 514]
YEAS—243

Abercrombie
Aderholt
Archer
Armey
Bachus
Baesler
Baker
Ballenger
Barcia
Barr
Barrett (NE)
Bartlett
Barton
Bass
Bateman
Bereuter
Berry
Bilbray
Bilirakis
Bishop
Bliley
Blunt
Boehlert
Boehner

Bonilla
Bono
Boswell
Boyd
Brady (TX)
Bryant
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Cannon
Castle
Chabot
Chambliss
Chenoweth
Christensen
Coble
Coburn
Combest

Condit
Cook
Cooksey
Cramer
Crane
Crapo
Cubin
Cunningham
Davis (VA)
Deal
DeLay
Diaz-Balart
Dickey
Dingell
Doolittle
Dreier
Duncan
Dunn
Ehlers
Ehrlich
Emerson
English
Ensign

Everett
Ewing
Fawell
Foley
Forbes
Fossella
Fowler
Fox
Franks (NJ)
Frelinghuysen
Gallegly
Ganske
Gekas
Gibbons
Gilchrest
Gillmor
Gilman
Goodlatte
Goodling
Gordon
Goss
Graham
Granger
Greenwood
Gutknecht
Hall (TX)
Hansen
Hastert
Hastings (WA)
Hayworth
Hefley
Herger
Hill
Hilleary
Hobson
Hoekstra
Horn
Hostettler
Houghton
Hulshof
Hutchinson
Hyde
Ingalls
Istook
Jenkins
John
Johnson (CT)
Johnson, Sam
Jones
Kasich
Kelly
Kim
King (NY)
Kingston
Klug
Knollenberg
Kolbe

LaHood
Largent
Latham
LaTourette
Leach
Lewis (CA)
Lewis (KY)
Linder
Livingston
LoBiondo
Lucas
Manzullo
McCollum
McCrery
McDade
McHugh
McInnis
McIntosh
McKeon
Metcalf
Mica
Miller (FL)
Minge
Mink
Moran (KS)
Morella
Myrick
Northup
Norwood
Nussle
Ortiz
Oxley
Packard
Pappas
Pastor
Paul
Paxon
Pease
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pickett
Pitts
Pombo
Porter
Portman
Quinn
Radanovich
Ramstad
Redmond
Regula
Riggs
Riley
Rodriguez
Rogan
Rogers

Rohrabacher
Ros-Lehtinen
Roukema
Royce
Ryun
Salmon
Sandlin
Sanford
Saxton
Scarborough
Schaefer, Dan
Schaffer, Bob
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Shimkus
Shuster
Skeen
Smith (MI)
Smith (NJ)
Smith (OR)
Smith (TX)
Smith, Linda
Snowbarger
Solomon
Souder
Spence
Stabenow
Stearns
Stenholm
Stump
Sununu
Talent
Tanner
Tauzin
Taylor (NC)
Thomas
Thornberry
Thune
Turner
Upton
Walsh
Wamp
Watkins
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
White
Whitfield
Wicker
Wilson
Wolf
Young (AK)
Young (FL)

NAYS—179

Ackerman
Allen
Andrews
Baldacci
Barrett (WI)
Becerra
Bentsen
Blagojevich
Blumenauer
Bonior
Borski
Brady (PA)
Brown (CA)
Brown (FL)
Brown (OH)
Capps
Cardin
Carson
Clay
Clayton
Clement
Clyburn
Conyers
Costello
Coyne
Cummings
Danner
Davis (FL)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dicks
Dixon
Doggett
Dooley
Doyle
Edwards
Engel

Eshoo
Etheridge
Evans
Farr
Fattah
Fazio
Filner
Ford
Frank (MA)
Frost
Furse
Gejdenson
Gephardt
Gonzalez
Goode
Green
Gutierrez
Hall (OH)
Hamilton
Hastings (FL)
Hilliard
Hinchey
Hinojosa
Holden
Hooley
Hoyer
Hunter
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (WI)
Johnson, E. B.
Kanjorski
Kaptur
Kennedy (MA)
Kennedy (RI)
Kildee
Kilpatrick
Kind (WI)
Klecza

Klink
Kucinich
LaFalce
Lampson
Lantos
Lee
Levin
Lewis (GA)
Lipinski
Lofgren
Lowey
Luther
Maloney (CT)
Maloney (NY)
Manton
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McDermott
McGovern
McHale
McIntyre
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Millender
McDonald
Miller (CA)
Moakley
Mollohan
Moran (VA)
Murtha
Nadler
Neal
Neumann

Ney
Oberstar
Obey
Oliver
Owens
Pallone
Pascrell
Payne
Pelosi
Pomeroy
Price (NC)
Rahall
Reyes
Rivers
Roemer
Rothman
Roybal-Allard
Rush
Sabo
Sanchez

Sanders
Sawyer
Schumer
Scott
Serrano
Sherman
Sisisky
Skaggs
Skelton
Slaughter
Smith, Adam
Snyder
Spratt
Stark
Stokes
Strickland
Stupak
Tauscher
Taylor (MS)
Thompson

NOT VOTING—12

Berman
Boucher
Collins
Harman

Hefner
Kennelly
Lazio
Nethercutt

Parker
Poshard
Pryce (OH)
Rangel

So the resolution was agreed to.

A motion to reconsider the vote whereby said resolution was agreed to was, by unanimous consent, laid on the table.

¶107.15 H. RES. 592—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. LAHOOD, pursuant to clause 5, rule I, announced the further unfinished business to be the motion to suspend the rules and agree to the resolution (H. Res. 592) providing for the concurrence by the House with amendments to the Senate amendment to H.R. 4110.

The question being put,

Will the House suspend the rules and agree to said resolution?

The vote was taken by electronic device.

It was decided in the { Yeas 423
affirmative { Nays 0

¶107.16 [Roll No. 515]
YEAS—423

Abercrombie
Ackerman
Aderholt
Allen
Andrews
Archer
Armey
Bachus
Baesler
Baker
Baldacci
Ballenger
Barcia
Barr
Barrett (NE)
Barrett (WI)
Bartlett
Barton
Bass
Bateman
Becerra
Bentsen
Bereuter
Berry
Bilbray
Bilirakis
Bishop
Blagojevich
Bliley
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonior
Bono
Borski
Boswell
Boyd
Brady (PA)

Brady (TX)
Brown (CA)
Brown (FL)
Brown (OH)
Bryant
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Cannon
Capps
Cardin
Carson
Castle
Chabot
Chambliss
Chenoweth
Christensen
Clay
Clayton
Clement
Clyburn
Coble
Coburn
Combest
Condit
Conyers
Cook
Cooksey
Costello
Cox
Coyne
Cramer
Crane
Crapo

Cubin
Cummings
Cunningham
Danner
Davis (FL)
Davis (IL)
Davis (VA)
Deal
DeFazio
DeGette
Delahunt
DeLauro
DeLay
Deutsch
Diaz-Balart
Dickey
Dicks
Dingell
Dixon
Doggett
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Ensign
Eshoo
Etheridge
Evans
Everett
Ewing
Farr
Fattah

Fawell

Fazio

Filner

Foley

Forbes

Ford

Fossella

Fowler

Fox

Frank (MA)

Franks (NJ)

Frelinghuysen

Frost

Furse

Galleghy

Ganske

Gejdenson

Gekas

Gephardt

Gibbons

Gilchrest

Gillmor

Gilman

Gonzalez

Goode

Goodlatte

Goodling

Gordon

Goss

Graham

Granger

Green

Greenwood

Gutierrez

Gutknecht

Hall (OH)

Hall (TX)

Hamilton

Hansen

Harman

Hastert

Hastings (FL)

Hastings (WA)

Hayworth

Hefley

Herger

Hill

Hilleary

Hilliard

Hinchey

Hinojosa

Hobson

Hoekstra

Holden

Hooley

Horn

Hostettler

Houghton

Hoyer

Hulshof

Hunter

Hutchinson

Hyde

Inglis

Istook

Jackson (IL)

Jackson-Lee (TX)

Jefferson

Jenkins

John

Johnson (CT)

Johnson (WI)

Johnson, E. B.

Johnson, Sam

Jones

Kanjorski

Kaptur

Kasich

Kelly

Kennedy (MA)

Kennedy (RI)

Kilpatrick

Kim

Kind (WI)

King (NY)

Kingston

Klecza

Klink

Klug

Knollenberg

Kolbe

Kucinich

LaFalce

LaHood

Lampson

Lantos

Largent

Latham

LaTourette

Lazio

Leach

Lee

Levin

Lewis (CA)

Lewis (GA)

Lewis (KY)

Linder

Lipinski

Livingston

LoBiondo

Lofgren

Lowe

Lucas

Luther

Maloney (CT)

Maloney (NY)

Manton

Manzullo

Markey

Martinez

Mascara

Matsui

McCarthy (MO)

McCarthy (NY)

McCollum

McCrery

McDade

McDermott

McGovern

McHale

McHugh

McInnis

McIntosh

McIntyre

McKeon

McKinney

McNulty

Meehan

Meek (FL)

Meeks (NY)

Menendez

Metcalf

Mica

Millender-Hill

McDonald

Miller (CA)

Miller (FL)

Minge

Mink

Moakley

Mollohan

Moran (KS)

Moran (VA)

Morella

Murtha

Myrick

Nadler

Neal

Neumann

Ney

Northup

Norwood

Nussle

Oberstar

Obey

Olver

Ortiz

Owens

Oxley

Packard

Pallone

Pappas

Pascrell

Pastor

Paul

Paxon

Payne

Pease

Pelosi

Peterson (MN)

Peterson (PA)

Petri

Pickering

Pickett

Pitts

Pombo

Pomeroy

Porter

Portman

Price (NC)

Quinn

Radanovich

Rahall

Ramstad

Redmond

Regula

Reyes

Riggs

Riley

Rivers

Rodriguez

Roemer

Rogan

Rogers

Rohrabacher

Ros-Lehtinen

Rothman

Roukema

Roybal-Allard

Royce

Rush

Ryun

Sabo

Salmon

Sanchez

Sanders

Sandlin

Sanford

Sawyer

Saxton

Scarborough

Schaefer, Dan

Schaffer, Bob

Schumer

Scott

Sensenbrenner

Serrano

Sessions

Shadegg

Shaw

Shays

Sherman

Shimkus

Shuster

Sisisky

Skaggs

Skeen

Skelton

Slaughter

Smith (MI)

Smith (NJ)

Smith (OR)

Smith (TX)

Smith, Adam

Smith, Linda

Snowbarger

Snyder

Solomon

Souder

Spence

Spratt

Stabenow

Stark

Stearns

Stenholm

Stokes

Strickland

Stump

Sununu

Talent

Tanner

Tauscher

Tauzin

Taylor (MS)

Thomas

Thompson

Thornberry

Thune

Thurman

Tiahrt

Tierney

Torres

Towns

Traficant

Turner

Upton

Velazquez

Vento

Visclosky

Walsh

Wamp

Waters

Watkins

Watt (NC)

Watts (OK)

Waxman

Weldon (FL)

Weldon (PA)

Weller

Wexler

Weygand

White

Whitfield

Wicker

Wilson

Wise

Wolf

Woolsey

Berman

Boucher

Collins

Hefner

<

Tauzin	Velazquez	Wexler
Taylor (MS)	Vento	Weygand
Thomas	Visclosky	White
Thompson	Walsh	Whitfield
Thornberry	Wamp	Wicker
Thune	Waters	Wilson
Thurman	Watkins	Wise
Tiahrt	Watt (NC)	Wolf
Tierney	Watts (OK)	Woolsey
Towns	Waxman	Wynn
Trafigant	Weldon (FL)	Yates
Turner	Weldon (PA)	Young (AK)
Upton	Weller	Young (FL)

NAYS—2

Paul	Sabo
------	------

NOT VOTING—20

Berman	Hunter	Portman
Billbray	Kennelly	Poshard
Boucher	Largent	Pryce (OH)
Collins	Nethercutt	Rangel
Engler	Parker	Taylor (NC)
Hefner	Peterson (PA)	Torres
Hoyer	Pickering	

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

By unanimous consent, the title was amended so as to read: "An Act to amend titles XI and XVIII of the Social Security Act to revise the per beneficiary and per visit home health payment limits under the medicare program, to improve access to health care services for certain medicare-eligible veterans, to authorize additional exceptions to the imposition of civil money penalties in cases of payments to beneficiaries, and to expand the membership of the Medicare Payment Advisory Commission."

A motion to reconsider the votes whereby the rules were suspended and said bill, as amended, was passed and the title was amended was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶107.19 H. CON. RES. 334—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. LAHOOD, pursuant to clause 5, rule I, announced the further unfinished business to be the motion to suspend the rules and agree to the concurrent resolution (H. Con. Res. 334) relating to Taiwan's participation in the World Health Organization.

The question being put, viva voce,

Will the House suspend the rules and agree to said concurrent resolution?

The SPEAKER pro tempore, Mr. LAHOOD, announced that two-thirds of those present had voted in the affirmative.

Mr. SOLOMON demanded a recorded vote on the motion to suspend the rules and agree to said concurrent resolution which demand was supported by one-fifth of a quorum, so a recorded vote was ordered.

The vote was taken by electronic device.

It was decided in the { Yeas 418
affirmative { Nays 0

¶107.20 [Roll No. 517]
AYES—418

Abercrombie	Aderholt	Andrews
Ackerman	Allen	Archer

Army	Edwards	Kingston
Bachus	Ehlers	Klecza
Baessler	Ehrlich	Klink
Baker	Emerson	Klug
Baldacci	Engel	Knollenberg
Ballenger	English	Kolbe
Barcia	Eshoo	Kucinich
Barr	Etheridge	LaFalce
Barrett (NE)	Evans	LaHood
Barrett (WI)	Everett	Lampson
Bartlett	Ewing	Lantos
Barton	Farr	Largent
Bass	Fattah	Latham
Bateman	Fawell	LaTourette
Becerra	Fazio	Lazio
Bentsen	Filner	Leach
Bereuter	Foley	Lee
Berry	Forbes	Levin
Bilbray	Ford	Lewis (CA)
Bilirakis	Fossella	Lewis (GA)
Bishop	Fowler	Lewis (KY)
Blagojevich	Fox	Linder
Bliley	Frank (MA)	Lipinski
Blumenauer	Franks (NJ)	Livingston
Blunt	Frelinghuysen	LoBiondo
Boehlert	Frost	Lofgren
Boehner	Furse	Lowey
Bonilla	Gallegly	Lucas
Bonior	Ganske	Luther
Bono	Gejdenson	Maloney (CT)
Borski	Gekas	Maloney (NY)
Boswell	Gephardt	Manton
Boyd	Gibbons	Manzullo
Brady (PA)	Gilchrest	Markey
Brady (TX)	Gillmor	Martinez
Brown (CA)	Gilman	Mascara
Brown (FL)	Gonzalez	Matsui
Brown (OH)	Goode	McCarthy (MO)
Bryant	Goodlatte	McCarthy (NY)
Bunning	Goodling	McCollum
Burr	Gordon	McCrery
Burton	Goss	McDade
Buyer	Graham	McDermott
Callahan	Granger	McGovern
Calvert	Green	McHale
Camp	Greenwood	McHugh
Campbell	Gutierrez	McInnis
Canady	Gutknecht	McIntosh
Cannon	Hall (OH)	McIntyre
Capps	Hall (TX)	McKeon
Cardin	Hamilton	McKinney
Carson	Hansen	McNulty
Castle	Harman	Meehan
Chabot	Hastert	Meek (FL)
Chambliss	Hastings (FL)	Meeks (NY)
Chenoweth	Hastings (WA)	Menendez
Christensen	Hayworth	Metcalf
Clay	Hefley	Mica
Clayton	Herger	Millender-
Clement	Hill	McDonald
Clyburn	Hilleary	Miller (CA)
Coble	Hilliard	Miller (FL)
Coburn	Hinche	Minge
Combest	Hinojosa	Mink
Condit	Hobson	Moakley
Conyers	Hoekstra	Mollohan
Cook	Holden	Moran (KS)
Cooksey	Hooley	Moran (VA)
Costello	Horn	Morella
Cox	Hostettler	Murtha
Coyne	Houghton	Myrick
Cramer	Hoyer	Nadler
Crane	Hulshof	Neal
Crapo	Hunter	Neumann
Cubin	Hutchinson	Ney
Cummings	Hyde	Northup
Cunningham	Inglis	Nussle
Danner	Istook	Oberstar
Davis (FL)	Jackson (IL)	Obey
Davis (IL)	Jackson-Lee	Olver
Davis (VA)	(TX)	Ortiz
Deal	Jefferson	Owens
DeFazio	Jenkins	Oxley
DeGette	John	Packard
Delahunt	Johnson (CT)	Pallone
DeLauro	Johnson (WI)	Pappas
DeLay	Johnson, E. B.	Pascarell
Deutsch	Johnson, Sam	Pastor
Diaz-Balart	Jones	Paul
Dickey	Kanjorski	Paxon
Dicks	Kaptur	Payne
Dingell	Kasich	Pease
Dixon	Kelly	Pelosi
Doggett	Kennedy (MA)	Peterson (MN)
Dooley	Kennedy (RI)	Peterson (PA)
Doolittle	Kildee	Petri
Doyle	Kilpatrick	Pickering
Dreier	Kim	Pickett
Duncan	Kind (WI)	Pitts
Dunn	King (NY)	Pombo

Pomeroy	Sensenbrenner	Taylor (MS)
Porter	Serrano	Thomas
Portman	Sessions	Thompson
Price (NC)	Shadegg	Thornberry
Radanovich	Shaw	Thune
Rahall	Shays	Thurman
Ramstad	Sherman	Tiahrt
Redmond	Shimkus	Tierney
Regula	Shuster	Torres
Reyes	Sisisky	Towns
Riggs	Skaggs	Trafigant
Riley	Skeen	Turner
Rivers	Skelton	Upton
Rodriguez	Slaughter	Velazquez
Roemer	Smith (MI)	Vento
Rogan	Smith (NJ)	Visclosky
Rogers	Smith (OR)	Wamp
Rohrabacher	Smith, Adam	Waters
Ros-Lehtinen	Smith, Linda	Watkins
Rothman	Snowbarger	Watt (NC)
Roukema	Snyder	Watts (OK)
Roybal-Allard	Solomon	Waxman
Royce	Souder	Weldon (FL)
Rush	Spence	Weldon (PA)
Ryun	Spratt	Weller
Sabo	Stabenow	Wexler
Salmon	Stark	Weygand
Sanchez	Stearns	White
Sanders	Stenholm	Whitfield
Sandlin	Stokes	Wicker
Sanford	Strickland	Wilson
Sawyer	Stump	Wise
Saxton	Stupak	Wolf
Scarborough	Sununu	Woolsey
Schaefer, Dan	Talent	Wynn
Schaffer, Bob	Tanner	Yates
Schumer	Tauscher	Young (AK)
Scott	Tauzin	Young (FL)

NOT VOTING—16

Berman	Nethercutt	Rangel
Boucher	Norwood	Smith (TX)
Collins	Parker	Taylor (NC)
Ensign	Poshard	Walsh
Hefner	Pryce (OH)	
Kennelly	Quinn	

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said concurrent resolution was agreed to.

A motion to reconsider the vote whereby the rules were suspended and said concurrent resolution was agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said concurrent resolution.

¶107.21 H. CON. RES. 320—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. LAHOOD, pursuant to clause 5, rule I, announced the further unfinished business to be the motion to suspend the rules and agree to the concurrent resolution (H. Con. Res. 320) supporting the Baltic people of Estonia, Latvia, and Lithuania, and condemning the Nazi-Soviet Pact of Non-Aggression of August 23, 1939; as amended.

The question being put,

Will the House suspend the rules and agree to said concurrent resolution, as amended?

The vote was taken by electronic device.

It was decided in the { Yeas 417
affirmative { Nays 0

¶107.22 [Roll No. 518]
YEAS—417

Abercrombie	Bachus	Barrett (NE)
Ackerman	Baessler	Barrett (WI)
Aderholt	Baker	Bartlett
Allen	Baldacci	Barton
Andrews	Ballenger	Bass
Archer	Barcia	Bateman
Army	Barr	Becerra

Bentsen	Filner	Lee	Rogers	Skeen	Tiahrt	Burr	Hayworth	Morella
Bereuter	Foley	Levin	Rohrabacher	Skelton	Tierney	Burton	Hefley	Murtha
Berry	Forbes	Lewis (CA)	Ros-Lehtinen	Slaughter	Torres	Buyer	Herger	Myrick
Bilbray	Ford	Lewis (GA)	Rothman	Smith (MI)	Towns	Callahan	Hill	Nadler
Bilirakis	Fossella	Lewis (KY)	Roukema	Smith (NJ)	Trafigant	Calvert	Hilleary	Neal
Bishop	Fowler	Linder	Roybal-Allard	Smith (OR)	Turner	Camp	Hinchey	Neumann
Blagojevich	Fox	Lipinski	Royce	Smith, Adam	Upton	Campbell	Hobson	Ney
Bliley	Frank (MA)	Livingston	Rush	Smith, Linda	Velazquez	Canady	Hoekstra	Northup
Blumenauer	Franks (NJ)	LoBiondo	Ryun	Snowbarger	Vento	Capps	Holden	Nussle
Blunt	Frelinghuysen	Lofgren	Sabo	Snyder	Visclosky	Cardin	Hooley	Oberstar
Boehlert	Frost	Lowey	Salmon	Solomon	Wamp	Carson	Horn	Obey
Boehner	Furse	Lucas	Sanchez	Souder	Waters	Castle	Hostettler	Oliver
Bonilla	Gallegly	Luther	Sanders	Spence	Watkins	Chabot	Houghton	Ortiz
Bonior	Ganske	Maloney (CT)	Sandlin	Spratt	Watt (NC)	Chambliss	Hoyer	Owens
Bono	Gejdenson	Maloney (NY)	Sanford	Stabenow	Watts (OK)	Christensen	Hulshof	Oxley
Borski	Gekas	Manton	Sawyer	Stark	Waxman	Clement	Hunter	Packard
Boswell	Gephardt	Manzullo	Saxton	Stearns	Weldon (FL)	Coble	Hutchinson	Pallone
Boyd	Gibbons	Markey	Scarborough	Stenholm	Weldon (PA)	Combest	Hyde	Pappas
Brady (PA)	Gilchrest	Martinez	Schaefer, Dan	Stokes	Weller	Condit	Inglis	Pascrell
Brady (TX)	Gillmor	Mascara	Schaffer, Bob	Strickland	Wexler	Cook	Istook	Pastor
Brown (CA)	Gilman	Matsui	Shumer	Stump	Weygand	Cooksey	Jackson (IL)	Paxon
Brown (FL)	Gonzalez	McCarthy (MO)	Scott	Stupak	White	Costello	Jackson-Lee	Pease
Brown (OH)	Goode	McCarthy (NY)	Sensenbrenner	Sununu	Whitfield	Cox	(TX)	Pelosi
Bryant	Goodlatte	McCollum	Serrano	Talent	Wicker	Coyne	Jefferson	Peterson (MN)
Bunning	Goodling	McCrery	Sessions	Tanner	Wilson	Cramer	Jenkins	Peterson (PA)
Burr	Gordon	McDade	Shadegg	Tauscher	Wise	Crane	John	Petri
Burton	Goss	McDermott	Shaw	Tauzin	Wolf	Cubin	Johnson (CT)	Pickering
Buyer	Graham	McGovern	Shays	Taylor (MS)	Woolsey	Cummings	Johnson (WI)	Pitts
Callahan	Granger	McHale	Sherman	Thomas	Wynn	Cunningham	Johnson, E. B.	Pombo
Calvert	Green	McHugh	Shimkus	Thompson	Yates	Danner	Johnson, Sam	Pomeroy
Camp	Greenwood	McInnis	Shuster	Thornberry	Young (AK)	Davis (FL)	Kanjorski	Porter
Campbell	Gutierrez	McIntosh	Sisisky	Thune	Young (FL)	Davis (VA)	Kaptur	Portman
Canady	Gutknecht	McIntyre	Skaggs	Thurman		Deal	Kasich	Price (NC)
Cannon	Hall (OH)	McKeon				DeGette	Kelly	Radanovich
Capps	Hall (TX)	McKinney	Berman	Kennelly	Quinn	Delahunt	Kennedy (MA)	Rahall
Cardin	Hamilton	McNulty	Boucher	Nethercutt	Rangel	DeLauro	Kennedy (RI)	Ramstad
Carson	Hansen	Meehan	Collins	Norwood	Smith (TX)	DeLay	Kildee	Redmond
Castle	Harman	Meek (FL)	Ensign	Parker	Taylor (NC)	Deutsch	Kim	Regula
Chabot	Hastert	Meeks (NY)	Hefner	Poshard	Walsh	Diaz-Balart	Kind (WI)	Reyes
Chambliss	Hastings (FL)	Menendez	Hobson	Pryce (OH)		Dickey	King (NY)	Riggs
Chenoweth	Hastings (WA)	Metcalf				Dicks	Kingston	Riley
Christensen	Hayworth	Mica				Dixon	Klecza	Rodriguez
Clay	Hefley	Millender-				Doggett	Klink	Roemer
Clayton	Herger	McDonald				Dooley	Klug	Rogan
Clement	Hill	Miller (CA)				Doolittle	Knollenberg	Rogers
Clyburn	Hilleary	Miller (FL)				Doyle	Kolbe	Rohrabacher
Coble	Hilliard	Minge				Dreier	LaFalce	Ros-Lehtinen
Coburn	Hinchey	Mink				Duncan	LaHood	Rothman
Combest	Hinojosa	Moakley				Dunn	Lampson	Roukema
Condit	Hoekstra	Mollohan				Edwards	Lantos	Roybal-Allard
Conyers	Holden	Moran (KS)				Ehlers	Largent	Royce
Cook	Hooley	Moran (VA)				Ehrlich	Latham	Ryun
Cooksey	Horn	Morella				Emerson	LaTourette	Sabo
Costello	Hostettler	Murtha				Engel	Lazio	Salmon
Cox	Houghton	Myrick				English	Leach	Sanchez
Coyne	Hoyer	Nadler				Eshoo	Levin	Sanders
Cramer	Hulshof	Neal				Etheridge	Lewis (CA)	Sandlin
Crane	Hunter	Neumann				Everett	Lewis (KY)	Sanford
Crapo	Hutchinson	Ney				Ewing	Linder	Sawyer
Cubin	Hyde	Northup				Farr	Lipinski	Saxton
Cummings	Inglis	Nussle				Fattah	Livingston	Schaefer, Dan
Cunningham	Istook	Oberstar				Fawell	LoBiondo	Schumer
Danner	Jackson (IL)	Obey				Fazio	Lofgren	Serrano
Davis (FL)	Jackson-Lee	Oliver				Foley	Lowey	Sessions
Davis (IL)	(TX)	Ortiz				Forbes	Lucas	Shadegg
Davis (VA)	Jefferson	Owens				Ford	Luther	Shaw
Deal	Jenkins	Oxley				Fossella	Maloney (CT)	Shays
DeFazio	John	Packard				Fowler	Maloney (NY)	Sherman
DeGette	Johnson (CT)	Pallone				Fox	Manton	Shimkus
Delahunt	Johnson (WI)	Pappas				Frank (MA)	Markey	Shuster
DeLauro	Johnson, E. B.	Pascrell				Franks (NJ)	Martinez	Sisisky
DeLay	Johnson, Sam	Pastor				Frelinghuysen	Mascara	Skaggs
Deutsch	Jones	Paul				Frost	Matsui	Skeen
Diaz-Balart	Kanjorski	Paxon				Gallegly	McCarthy (MO)	Skelton
Dickey	Kaptur	Payne				Ganske	McCarthy (NY)	Slaughter
Dicks	Kasich	Pease				Gejdenson	McCollum	Smith (MI)
Dingell	Kelly	Pelosi				Gekas	McCrery	Smith (NJ)
Dixon	Kennedy (MA)	Peterson (MN)				Gephardt	McDade	Smith (OR)
Doggett	Kennedy (RI)	Petri				Gibbons	McGovern	Smith (TX)
Dooley	Kildee	Pickering				Gilchrest	McHale	Smith, Adam
Doolittle	Kilpatrick	Pickett				Gillmor	McHugh	Smith, Linda
Doyle	Kim	Pitts				Gilman	McInnis	Snowbarger
Dreier	Kind (WI)	Pombo				Gonzalez	McIntosh	Snyder
Duncan	King (NY)	Pomeroy				Goodlatte	McIntyre	Solomon
Dunn	Kingston	Porter				Goodling	McKeon	Souder
Edwards	Klecza	Portman				Gordon	McNulty	Spence
Ehlers	Klink	Price (NC)	Ackerman	Barrett (WI)	Blumenauer		Meehan	Spratt
Ehrlich	Klug	Radanovich	Aderholt	Bartlett	Blunt		Goss	Stearns
Emerson	Knollenberg	Rahall	Allen	Bartlett	Boehlert		Graham	Stenholm
Engel	Kolbe	Ramstad	Andrews	Barton	Boehner		Granger	Strickland
English	Kucinich	Redmond	Archer	Bass	Bonilla		Green	Stump
Eshoo	LaFalce	Regula	Armey	Bateman	Bono		Greenwood	Sununu
Etheridge	LaHood	Royce	Bachus	Becerra	Borski		Gutierrez	Talent
Evans	Lampson	Riggs	Baessler	Bentzen	Boyd		Gutknecht	Tanner
Everett	Lantos	Pickett	Baker	Bereuter	Brady (PA)		Hall (OH)	Tauscher
Ewing	Largent	Pitts	Baldacci	Berry	Brady (TX)		Hall (TX)	Tauzin
Farr	Latham	Pombo	Ballenger	Bilbray	Brown (CA)		Hamilton	Thomas
Fattah	Latham	Pomeroy	Barcia	Bilirakis	Brown (OH)		Hansen	Thornberry
Fawell	LaTourette	Porter	Barr	Bishop	Bryant		Harman	Thune
Fazio	Lazio	Rogan	Barrett (NE)	Blagojevich	Bunning		Hastert	Thurman
	Leach			Bliley			Hastings (WA)	

NOT VOTING—17

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said concurrent resolution, as amended, was agreed to.

A motion to reconsider the vote whereby the rules were suspended and said concurrent resolution, as amended, was agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said concurrent resolution.

¶107.23 H.R. 2616—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. LAHOOD, pursuant to clause 5, rule I, announced the further unfinished business to be the motion to suspend the rules and agree to the amendment of the Senate to the bill (H.R. 2616) to amend titles VI and X of the Elementary and Secondary Education Act of 1965 to improve and expand charter schools.

The question being put,

Will the House suspend the rules and agree to said amendment?

The vote was taken by electronic device.

It was decided in the { Yeas 369
affirmative Nays 50

¶107.24 [Roll No. 519]
YEAS—369

Ackerman	Barrett (WI)	Blumenauer
Aderholt	Bartlett	Blunt
Allen	Barton	Boehlert
Andrews	Bass	Boehner
Archer	Bateman	Bonilla
Armey	Becerra	Bono
Bachus	Bentzen	Borski
Baessler	Bereuter	Boyd
Baker	Berry	Brady (PA)
Baldacci	Bilbray	Brady (TX)
Ballenger	Bilirakis	Brown (CA)
Barcia	Bishop	Brown (OH)
Barr	Blagojevich	Bryant
Barrett (NE)	Bliley	Bunning

Tiaht
Tierney
Torres
Towns
Traficant
Turner
Upton
Velazquez
Vento
Wamp

Watkins
Watt (NC)
Watts (OK)
Waxman
Weldon (FL)
Weldon (PA)
Weller
Wexler
Weygand
White

Whitfield
Wicker
Wilson
Wise
Wolf
Woolsey
Wynn
Young (AK)
Young (FL)

NAYS—50

Abercrombie
Bonior
Boswell
Brown (FL)
Cannon
Chenoweth
Clay
Clayton
Clyburn
Coburn
Conyers
Crapo
Davis (IL)
DeFazio
Dingell
Evans
Filner

Furse
Goode
Hastings (FL)
Hilliard
Hinojosa
Jones
Kilpatrick
Kucinich
Lee
Lewis (GA)
Manzullo
McDermott
McKinney
Meek (FL)
Mink
Paul
Payne

Pickett
Rivers
Rush
Scarborough
Schaffer, Bob
Scott
Sensenbrenner
Stabenow
Stark
Stokes
Stupak
Taylor (MS)
Thompson
Visclosky
Waters
Yates

NOT VOTING—15

Berman
Boucher
Collins
Ensign
Hefner

Kennelly
Nethercutt
Norwood
Parker
Poshard

Pryce (OH)
Quinn
Rangel
Taylor (NC)
Walsh

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said amendment of the Senate was agreed to.

A motion to reconsider the vote whereby the rules were suspended and said amendment of the Senate was agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶107.25 S. 852—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. LAHOOD, pursuant to clause 5, rule I, announced the further unfinished business to be the motion to suspend the rules and pass the bill of the Senate (S. 852) to establish nationally uniform requirements regarding the titling and registration of salvage, nonrepairable, and rebuilt vehicles; as amended.

The question being put,

Will the House suspend the rules and pass said bill, as amended?

The vote was taken by electronic device.

It was decided in the affirmative { Yeas 271
Nays 133
Answered present 2

¶107.26 [Roll No. 520]
YEAS—271

Aderholt
Andrews
Archer
Armey
Bachus
Baesler
Baker
Baldacci
Ballenger
Barr
Barrett (NE)
Bartlett
Barton
Bass
Bateman
Bentsen
Bereuter
Berry
Bilbray

Bilirakis
Bliley
Boehert
Boehner
Bonilla
Bono
Brady (TX)
Bryant
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Cannon
Castle

Chabot
Chenoweth
Christensen
Clement
Coble
Coburn
Combest
Cook
Cooksey
Cox
Cramer
Crane
Crapo
Cubin
Cummings
Cunningham
Danner
Davis (FL)
Davis (VA)

DeLay
Deutsch
Diaz-Balart
Dickey
Doggett
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
English
Etheridge
Everett
Ewing
Fawell
Foley
Fossella
Fowler
Fox
Franks (NJ)
Frelinghuysen
Frost
Gallegly
Ganske
Gekas
Gephardt
Gibbons
Gilchrist
Gillmor
Gilman
Goode
Goodlatte
Goodling
Gordon
Goss
Graham
Granger
Green
Greenwood
Gutknecht
Hall (TX)
Hansen
Harman
Hastert
Hastings (WA)
Hayworth
Hefley
Herger
Hill
Hilleary
Hinojosa
Hobson
Hoekstra
Holden
Hooley
Horn
Hostettler
Houghton
Hulshof
Hunter
Hutchinson
Hyde
Istook
Jenkins
John
Johnson (CT)
Johnson (WI)

Johnson, Sam
Jones
Kasich
Kelly
Kildee
Kilpatrick
Kim
King (NY)
Kingston
Klecza
Klug
Knollenberg
Kolbe
LaHood
Lampson
Largent
Latham
LaTourette
Lazio
Leach
Lewis (CA)
Lewis (KY)
Linder
Livingston
LoBiondo
Lucas
Maloney (CT)
Manzullo
Mascara
McCarthy (NY)
McCrery
McDade
McHugh
McIntyre
McKeon
Metcalf
Mica
Miller (FL)
Minge
Mollohan
Moran (KS)
Moran (VA)
Morella
Myrick
Neumann
Ney
Northup
Nussle
Ortiz
Oxley
Packard
Pappas
Pascrell
Pastor
Paxon
Pease
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pickett
Pitts
Pombo
Pomeroy
Porter
Portman
Price (NC)
Radanovich
Rahall
Ramstad
Redmond
Regula

NAYS—133

Abercrombie
Ackerman
Allen
Barcia
Barrett (WI)
Becerra
Bishop
Blagojevich
Blumenauer
Bonior
Borski
Boswell
Boyd
Brady (PA)
Brown (CA)
Brown (FL)
Brown (OH)
Capps
Cardin
Carson
Clay
Clayton
Clyburn
Condit
Conyers
Costello

Coyne
Davis (IL)
DeFazio
DeGette
DeLauro
Dicks
Dingell
Dixon
Engel
Eshoo
Evans
Farr
Fattah
Fazio
Filner
Ford
Frank (MA)
Furse
Gejdenson
Gonzalez
Gutierrez
Hall (OH)
Hamilton
Hastings (FL)
Hilliard

Hinchey
Hoyer
Jackson (IL)
Jackson-Lee
(TX)
Jefferson
Johnson, E. B.
Kanjorski
Kaptur
Kennedy (RI)
Kind (WI)
Klink
Kucinich
LaFalce
Lantos
Lee
Levin
Lewis (GA)
Lipinski
Lofgren
Lowey
Luther
Maloney (NY)
Manton
Markey
Martinez

Matsui
McCarthy (MO)
McDermott
McGovern
McHale
McKinney
McNulty
Meek (FL)
Meeks (NY)
Menendez
Millender-
McDonald
Miller (CA)
Mink
Moakley
Murtha
Nadler
Neal
Oberstar

Obey
Oliver
Owens
Pallone
Payne
Pelosi
Rivers
Roemer
Rothman
Roybal-Allard
Rush
Sabo
Sanchez
Sanders
Sanford
Sawyer
Schumer
Scott
Serrano

Skaggs
Slaughter
Stark
Stokes
Stupak
Thompson
Thurman
Tierney
Torres
Towns
Velazquez
Vento
Visclosky
Waters
Watt (NC)
Waxman
Wexler
Woolsey
Yates

ANSWERED "PRESENT"—2

Deal Tauscher

NOT VOTING—28

Berman
Blunt
Boucher
Chambliss
Collins
Ensign
Forbes
Hefner
Inglis
Kennedy (MA)

Kennelly
McCollum
McInnis
McIntosh
Meehan
Nethercutt
Norwood
Parker
Paul
Poshard

Pryce (OH)
Quinn
Rangel
Royce
Solomon
Stearns
Taylor (NC)
Walsh

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and the bill, as amended, was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said amendment.

¶107.27 LOWER EAST SIDE TENEMENT
NATIONAL HISTORIC SITE

On motion of Mr. HANSEN, by unanimous consent, the Committee on Resources was discharged from further consideration of the bill of the Senate (S. 1408) to establish the Lower East Side Tenement National Historic Site, and for other purposes.

Mr. HANSEN submitted the following amendment in the nature of a substitute which was agreed to:

Strike out all after the enacting clause and insert the following:

**TITLE I—LOWER EAST SIDE TENEMENT
NATIONAL HISTORIC SITE, NEW YORK.****SEC. 101. FINDINGS AND PURPOSES.**

(a) FINDINGS.—Congress finds that—

(1)(A) immigration, and the resulting diversity of cultural influences, is a key factor in defining the identity of the United States; and

(B) many United States citizens trace their ancestry to persons born in nations other than the United States;

(2) the latter part of the 19th century and the early part of the 20th century marked a period in which the volume of immigrants coming to the United States far exceeded that of any time prior to or since that period;

(3) no single identifiable neighborhood in the United States absorbed a comparable number of immigrants than the Lower East Side neighborhood of Manhattan in New York City;

(4) the Lower East Side Tenement at 97 Orchard Street in New York City is an outstanding survivor of the vast number of humble buildings that housed immigrants to New York City during the greatest wave of immigration in American history;

(5) the Lower East Side Tenement is owned and operated as a museum by the Lower East Side Tenement Museum;

(6) the Lower East Side Tenement Museum is dedicated to interpreting immigrant life within a neighborhood long associated with the immigrant experience in the United States, New York City's Lower East Side, and its importance to United States history; and

(7)(A) the Director of the National Park Service found the Lower East Side Tenement at 97 Orchard Street to be nationally significant; and

(B) the Secretary of the Interior declared the Lower East Side Tenement a National Historic Landmark on April 19, 1994; and

(C) the Director of the National Park Service, through a special resource study, found the Lower East Side Tenement suitable and feasible for inclusion in the National Park System.

(b) PURPOSES.—The purposes of this title are—

(1) to ensure the preservation, maintenance, and interpretation of this site and to interpret at the site the themes of immigration, tenement life in the latter half of the 19th century and the first half of the 20th century, the housing reform movement, and tenement architecture in the United States;

(2) to ensure continued interpretation of the nationally significant immigrant phenomenon associated with New York City's Lower East Side and the Lower East Side's role in the history of immigration to the United States; and

(3) to enhance the interpretation of the Castle Clinton, Ellis Island, and Statue of Liberty National Monuments.

SEC. 102. DEFINITIONS.

As used in this title:

(1) HISTORIC SITE.—The term "historic site" means the Lower East Side Tenement found at 97 Orchard Street on Manhattan Island in City of New York, State of New York, and designated as a national historic site by section 103.

(2) MUSEUM.—The term "Museum" means the Lower East Side Tenement Museum, a nonprofit organization established in City of New York, State of New York, which owns and operates the tenement building at 97 Orchard Street and manages other properties in the vicinity of 97 Orchard Street as administrative and program support facilities for 97 Orchard Street.

(3) SECRETARY.—The term "Secretary" means the Secretary of the Interior.

SEC. 103. ESTABLISHMENT OF HISTORIC SITE.

(a) IN GENERAL.—To further the purposes of this title and the Act entitled "An Act to provide for the preservation of historic American sites, buildings, objects, and antiquities of national significance, and for other purposes", approved August 21, 1935 (16 U.S.C. 461 et seq.), the Lower East Side Tenement at 97 Orchard Street, in the City of New York, State of New York, is designated a national historic site.

(b) COORDINATION WITH NATIONAL PARK SYSTEM.—

(1) AFFILIATED SITE.—The historic site shall be an affiliated site of the National Park System.

(2) COORDINATION.—The Secretary, in consultation with the Museum, shall coordinate the operation and interpretation of the historic site with the Statue of Liberty National Monument, Ellis Island National Monument, and Castle Clinton National Monument. The historic site's story and interpretation of the immigrant experience in the United States is directly related to the themes and purposes of these National Monuments.

(c) OWNERSHIP.—The historic site shall continue to be owned, operated, and managed by the Museum.

SEC. 104. MANAGEMENT OF THE HISTORIC SITE.

(a) COOPERATIVE AGREEMENT.—The Secretary may enter into a cooperative agreement with the Museum to ensure the marking, interpretation, and preservation of the national historic site designated by section 103(a).

(b) TECHNICAL AND FINANCIAL ASSISTANCE.—The Secretary may provide technical and financial assistance to the Museum to mark, interpret, and preserve the historic site, including making preservation-related capital improvements and repairs.

(c) GENERAL MANAGEMENT PLAN.—

(1) IN GENERAL.—The Secretary, in consultation with the Museum, shall develop a general management plan for the historic site that defines the role and responsibility of the Secretary with regard to the interpretation and the preservation of the historic site.

(2) INTEGRATION WITH NATIONAL MONUMENTS.—The plan shall outline how interpretation and programming for the historic site shall be integrated and coordinated with the Statue of Liberty National Monument, Ellis Island National Monument, and Castle Clinton National Monument to enhance the story of the historic site and these National Monuments.

(3) COMPLETION.—The plan shall be completed not later than 2 years after the date of enactment of this Act.

(d) LIMITED ROLE OF SECRETARY.—Nothing in this title authorizes the Secretary to acquire the property at 97 Orchard Street or to assume overall financial responsibility for the operation, maintenance, or management of the historic site.

SEC. 105. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated such sums as are necessary to carry out this title.

TITLE II—OTHER MATTERS

SEC. 201. CASA MALPAIS NATIONAL HISTORIC LANDMARK, ARIZONA.

(a) FINDINGS.—The Congress finds and declares that—

(1) the Casa Malpais National Historic Landmark was occupied by one of the largest and most sophisticated Mogollon communities in the United States;

(2) the landmark includes a 58-room masonry pueblo, including stairways, Great Kiva complex, and fortification walls, a prehistoric trail, and catacomb chambers where the deceased were placed;

(3) the Casa Malpais was designated as a national historic landmark by the Secretary of the Interior in 1964; and

(4) the State of Arizona and the community of Springerville are undertaking a program of interpretation and preservation of the landmark.

(b) PURPOSE.—It is the purpose of this section to assist in the preservation and interpretation of the Casa Malpais National Historic Landmark for the benefit of the public.

(c) COOPERATIVE AGREEMENTS.—

(1) IN GENERAL.—In furtherance of the purpose of this section, the Secretary of the Interior is authorized to enter into cooperative agreements with the State of Arizona and the town of Springerville, Arizona, pursuant to which the Secretary may provide technical assistance to interpret, operate, and maintain the Casa Malpais National Historic Landmark and may also provide financial assistance for planning, staff training, and development of the Casa Malpais National Historic Landmark, but not including other routine operations.

(2) ADDITIONAL PROVISIONS.—Any such agreement may also contain provisions that—

(A) the Secretary, acting through the Director of the National Park Service, shall have right to access at all reasonable times

to all public portions of the property covered by such agreement for the purpose of interpreting the landmark; and

(B) no changes or alterations shall be made in the landmark except by mutual agreement between the Secretary and the other parties to all such agreements.

(d) APPROPRIATIONS.—There are authorized to be appropriated such sums as may be necessary to provide financial assistance in accordance with this section.

SEC. 202. PROVISION FOR ROADS IN PICTURED ROCKS NATIONAL LAKESHORE.

Section 6 of the Act of October 15, 1966, entitled "An Act to establish in the State of Michigan the Pictured Rocks National Lakeshore, and for other purposes" (16 U.S.C. 460s-5), is amended as follows:

(1) In subsection (b)(1) by striking "including a scenic shoreline drive" and inserting "including appropriate improvements to Alger County Road H-58".

(2) By adding at the end the following new subsection:

"(c) PROHIBITION OF CERTAIN CONSTRUCTION.—A scenic shoreline drive may not be constructed in the Pictured Rocks National Lakeshore."

When said bill, as amended, was considered, read twice, ordered to be read a third time, was read a third time by title, and passed.

A motion to reconsider the vote whereby the bill, as amended, was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said amendment.

¶107.28 WEIR FARM NATIONAL HISTORIC SITE

On motion of Mr. HANSEN, by unanimous consent, the Committee on Resources was discharged from further consideration of the bill of the Senate (S. 1718) to amend the Weir Farm National Historic Site Establishment Act of 1990 to authorize the acquisition of additional acreage for the historic site to permit the development of visitor and administrative facilities and to authorize the appropriation of additional amounts for the acquisition of real and personal property.

Mr. HANSEN submitted the following amendment in the nature of a substitute which was agreed to:

Strike out all after the enacting clause and insert the following:

SECTION 1. WEIR FARM NATIONAL HISTORIC SITE, CONNECTICUT.

(a) ACQUISITION OF LAND FOR VISITOR AND ADMINISTRATIVE FACILITIES.—Section 4 of the Weir Farm National Historic Site Establishment Act of 1990 (16 U.S.C. 461 note; Public Law 101-485; 104 Stat. 1171) is amended by adding at the end the following:

"(d) ACQUISITION OF LAND FOR VISITOR AND ADMINISTRATIVE FACILITIES; LIMITATIONS.—

"(1) ACQUISITION.—

"(A) IN GENERAL.—To preserve and maintain the historic setting and character of the historic site, the Secretary may acquire not more than 15 additional acres for the development of visitor and administrative facilities for the historic site.

"(B) PROXIMITY.—The property acquired under this subsection shall be contiguous to or in close proximity to the property described in subsection (b).

"(C) MANAGEMENT.—The acquired property shall be included within the boundary of the historic site and shall be managed and maintained as part of the historic site.

"(2) DEVELOPMENT.—The Secretary shall keep development of the property acquired under paragraph (1) to a minimum so that the character of the acquired property will be similar to the natural and undeveloped landscape of the property described in subsection (b).

"(3) AGREEMENTS.—Prior to and as a prerequisite to any development of visitor and administrative facilities on the property acquired under paragraph (1), the Secretary shall enter into 1 or more agreements with the appropriate zoning authority of the town of Ridgefield, Connecticut, and the town of Wilton, Connecticut, for the purposes of—

"(A) developing the parking, visitor, and administrative facilities for the historic site; and

"(B) managing bus traffic to the historic site and limiting parking for large tour buses to an offsite location."

(b) INCREASE IN MAXIMUM ACQUISITION AUTHORITY.—Section 7 of the Weir Farm National Historic Site Act of 1990 (16 U.S.C. 461 note; Public Law 101-485; 104 Stat. 1173) is amended by striking "\$1,500,000" and inserting "\$4,000,000".

SEC. 2. ACQUISITION AND MANAGEMENT OF WILCOX RANCH, UTAH, FOR WILD-LIFE HABITAT.

(a) FINDINGS.—Congress finds the following:

(1) The lands within the Wilcox Ranch in eastern Utah are prime habitat for wild turkeys, eagles, hawks, bears, cougars, elk, deer, bighorn sheep, and many other important species, and Range Creek within the Wilcox Ranch could become a blue ribbon trout stream.

(2) These lands also contain a great deal of undisturbed cultural and archeological resources, including ancient pottery, arrowheads, and rock homes constructed centuries ago.

(3) These lands, while comprising only approximately 3,800 acres, control access to over 75,000 acres of Federal lands under the jurisdiction of the Bureau of Land Management.

(4) Acquisition of the Wilcox Ranch would benefit the people of the United States by preserving and enhancing important wildlife habitat, ensuring access to lands of the Bureau of Land Management, and protecting priceless archeological and cultural resources.

(5) These lands, if acquired by the United States, can be managed by the Utah Division of Wildlife Resources at no additional expense to the Federal Government.

(b) ACQUISITION OF LANDS.—As soon as practicable, after the date of the enactment of this Act, the Secretary of the Interior shall acquire, through purchase, the Wilcox Ranch located in Emery County, in eastern Utah.

(c) FUNDS FOR PURCHASE.—The Secretary of the Interior is authorized to use not more than \$5,000,000 from the land and water conservation fund established under section 2 of the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 4601-5) for the purchase of the Wilcox Ranch under subsection (b).

(d) MANAGEMENT OF LANDS.—Upon payment by the State of Utah of one-half of the purchase price of the Wilcox Ranch to the United States, or transfer by the State of Utah of lands of the same such value to the United States, the Secretary of the Interior shall transfer to the State of Utah all right, title, and interest of the United States in and to those Wilcox Ranch lands acquired under subsection (b) for management by the State Division of Wildlife Resources for wildlife habitat and public access.

SEC. 3. LAND CONVEYANCE, YAVAPAI COUNTY, ARIZONA.

(a) CONVEYANCE REQUIRED.—Notwithstanding any other provision of law, the Sec-

retary of the Interior shall convey, without consideration and for educational related purposes, to Embry-Riddle Aeronautical University, Florida, a nonprofit corporation authorized to do business in the State of Arizona, all right, title, and interest of the United States, if any, to a parcel of real property consisting of approximately 16 acres in Yavapai County, Arizona, which is more fully described as the parcel lying east of the east right-of-way boundary of the Willow Creek Road in the southwest one-quarter of the southwest one-quarter (SW¼SW¼) of section 2, township 14 north, range 2 west, Gila and Salt River meridian.

(b) TERMS OF CONVEYANCE.—Subject to the limitation that the land to be conveyed is to be used only for educational related purposes, the conveyance under subsection (a) is to be made without any other conditions, limitations, reservations, restrictions, or terms by the United States. If the Secretary of the Interior determines that the conveyed lands are not being used for educational related purposes, at the option of the United States, the lands shall revert to the United States.

SEC. 4. LAND EXCHANGE, EL PORTAL ADMINISTRATIVE SITE, CALIFORNIA.

(a) AUTHORIZATION OF EXCHANGE.—If the non-Federal lands described in subsection (b) are conveyed to the United States in accordance with this section, the Secretary of the Interior shall convey to the party conveying the non-Federal lands all right, title, and interest of the United States in and to a parcel of land consisting of approximately 8 acres administered by the Department of Interior as part of the El Portal Administrative Site in the State of California, as generally depicted on the map entitled "El Portal Administrative Site Land Exchange", dated June 1998.

(b) RECEIPT OF NON-FEDERAL LANDS.—The parcel of non-Federal lands referred to in subsection (a) consists of approximately 8 acres, known as the Yosemite View parcel, which is located adjacent to the El Portal Administrative Site, as generally depicted on the map referred to in subsection (a). Title to the non-Federal lands must be acceptable to the Secretary of the Interior, and the conveyance shall be subject to such valid existing rights of record as may be acceptable to the Secretary. The parcel shall conform with the title approval standards applicable to Federal land acquisitions.

(c) EQUALIZATION OF VALUES.—If the value of the Federal land and non-Federal lands to be exchanged under this section are not equal in value, the difference in value shall be equalized through a cash payment or the provision of goods or services as agreed upon by the Secretary and the party conveying the non-Federal lands.

(d) APPLICABILITY OF OTHER LAWS.—Except as otherwise provided in this section, the Secretary of the Interior shall process the land exchange authorized by this section in the manner provided in part 2200 of title 43, Code of Federal Regulations, as in effect on the date of the enactment of this subtitle.

(e) BOUNDARY ADJUSTMENT.—Upon completion of the land exchange, the Secretary shall adjust the boundaries of the El Portal Administrative Site as necessary to reflect the exchange. Lands acquired by the Secretary under this section shall be administered as part of the El Portal Administrative Site.

(f) MAP.—The map referred to in subsection (a) shall be on file and available for inspection in appropriate offices of the Department of the Interior.

(g) ADDITIONAL TERMS AND CONDITIONS.—The Secretary of the Interior may require such additional terms and conditions in connection with the land exchange under this

section as the Secretary considers appropriate to protect the interests of the United States.

When said bill, as amended, was considered, read twice, ordered to be read a third time, was read a third time by title, and passed.

By unanimous consent, the title was amended so as to read: "An Act to amend the Weir Farm National Historic Site Establishment Act of 1990 to authorize the acquisition of additional acreage for the historic site to permit the development of visitor and administrative facilities and to authorize the appropriation of additional amounts for the acquisition of real and personal property, and for other purposes."

A motion to reconsider the votes whereby the bill, as amended, was passed and the title was amended was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said amendments.

¶107.29 AUTOMOBILE NATIONAL HERITAGE AREA

On motion of Mr. HANSEN, by unanimous consent, the Committee on Resources was discharged from further consideration of the bill (H.R. 3910) to authorize the Automobile National Heritage Area.

When said bill was considered and read twice.

Mr. HANSEN submitted the following amendment in the nature of a substitute which was agreed to:

Strike out all after the enacting clause and insert the following:

TITLE I—AUTOMOBILE NATIONAL HERITAGE AREA OF MICHIGAN

SEC. 101. SHORT TITLE.

This title may be cited as the "Automobile National Heritage Area Act".

SEC. 102. FINDINGS AND PURPOSES.

(a) FINDINGS.—The Congress finds that—

(1) the industrial, cultural, and natural heritage legacies of Michigan's automobile industry are nationally significant;

(2) in the areas of Michigan including and in proximity to Detroit, Dearborn, Pontiac, Flint, and Lansing, the design and manufacture of the automobile helped establish and expand the United States industrial power;

(3) the industrial strength of automobile manufacturing was vital to defending freedom and democracy in 2 world wars and played a defining role in American victories;

(4) the economic strength of our Nation is connected integrally to the vitality of the automobile industry, which employs millions of workers and upon which 1 out of 7 United States jobs depends;

(5) the industrial and cultural heritage of the automobile industry in Michigan includes the social history and living cultural traditions of several generations;

(6) the United Auto Workers and other unions played a significant role in the history and progress of the labor movement and the automobile industry;

(7) the Department of the Interior is responsible for protecting and interpreting the Nation's cultural and historic resources, and there are significant examples of these resources within Michigan to merit the involvement of the Federal Government to develop programs and projects in cooperation with the Automobile National Heritage Area

Partnership, Incorporated, the State of Michigan, and other local and governmental bodies, to adequately conserve, protect, and interpret this heritage for the educational and recreational benefit of this and future generations of Americans;

(8) the Automobile National Heritage Area Partnership, Incorporated would be an appropriate entity to oversee the development of the Automobile National Heritage Area; and

(9) 2 local studies, "A Shared Vision for Metropolitan Detroit" and "The Machine That Changed the World", and a National Park Service study, "Labor History Theme Study: Phase III; Suitability-Feasibility", demonstrated that sufficient historical resources exist to establish the Automobile National Heritage Area.

(b) **PURPOSE.**—The purpose of this title is to establish the Automobile National Heritage Area to—

(1) foster a close working relationship with all levels of government, the private sector, and the local communities in Michigan and empower communities in Michigan to conserve their automotive heritage while strengthening future economic opportunities; and

(2) conserve, interpret, and develop the historical, cultural, natural, and recreational resources related to the industrial and cultural heritage of the Automobile National Heritage Area.

SEC. 103. DEFINITIONS.

For purposes of this title:

(1) **BOARD.**—The term "Board" means the Board of Directors of the Partnership.

(2) **HERITAGE AREA.**—The term "Heritage Area" means the Automobile National Heritage Area established by section 104.

(3) **PARTNERSHIP.**—The term "Partnership" means the Automobile National Heritage Area Partnership, Incorporated (a nonprofit corporation established under the laws of the State of Michigan).

(4) **SECRETARY.**—The term "Secretary" means the Secretary of the Interior.

SEC. 104. AUTOMOBILE NATIONAL HERITAGE AREA.

(a) **ESTABLISHMENT.**—There is established in the State of Michigan the Automobile National Heritage Area.

(b) **BOUNDARIES.**—

(1) **IN GENERAL.**—Subject to paragraph (2), the boundaries of the Heritage Area shall include lands in Michigan that are related to the following corridors:

- (A) The Rouge River Corridor.
- (B) The Detroit River Corridor.
- (C) The Woodward Avenue Corridor.
- (D) The Lansing Corridor.
- (E) The Flint Corridor.
- (F) The Sauk Trail/Chicago Road Corridor.

(2) **SPECIFIC BOUNDARIES.**—The specific boundaries of the Heritage Area shall be those specified in the management plan approved under section 106.

(3) **MAP.**—The Secretary shall prepare a map of the Heritage Area which shall be on file and available for public inspection in the office of the Director of the National Park Service.

(4) **NOTICE TO LOCAL GOVERNMENTS.**—The Partnership shall provide to the government of each city, village, and township that has jurisdiction over property proposed to be included in the Heritage Area written notice of that proposal.

(c) **ADMINISTRATION.**—The Heritage Area shall be administered in accordance with this title.

SEC. 105. DESIGNATION OF PARTNERSHIP AS MANAGEMENT ENTITY.

(a) **IN GENERAL.**—The Partnership shall be the management entity for the Heritage Area.

(b) **FEDERAL FUNDING.**—

(1) **AUTHORIZATION TO RECEIVE FUNDS.**—The Partnership may receive amounts appropriated to carry out this title.

(2) **DISQUALIFICATION.**—If a management plan for the Heritage Area is not submitted to the Secretary as required under section 106 within the time specified in that section, the Partnership shall cease to be authorized to receive Federal funding under this title until such a plan is submitted to the Secretary.

(c) **AUTHORITIES OF PARTNERSHIP.**—The Partnership may, for purposes of preparing and implementing the management plan for the Heritage Area, use Federal funds made available under this title—

(1) to make grants to the State of Michigan, its political subdivisions, nonprofit organizations, and other persons;

(2) to enter into cooperative agreements with or provide technical assistance to the State of Michigan, its political subdivisions, nonprofit organizations, and other organizations;

(3) to hire and compensate staff;

(4) to obtain money from any source under any program or law requiring the recipient of such money to make a contribution in order to receive such money; and

(5) to contract for goods and services.

(d) **PROHIBITION OF ACQUISITION OF REAL PROPERTY.**—The Partnership may not use Federal funds received under this title to acquire real property or any interest in real property.

SEC. 106. MANAGEMENT DUTIES OF THE AUTOMOBILE NATIONAL HERITAGE AREA PARTNERSHIP.

(a) **HERITAGE AREA MANAGEMENT PLAN.**—

(1) **SUBMISSION FOR REVIEW BY SECRETARY.**—The Board of Directors of the Partnership shall, within 3 years after the date of enactment of this title, develop and submit for review to the Secretary a management plan for the Heritage Area.

(2) **PLAN REQUIREMENTS, GENERALLY.**—A management plan submitted under this section shall—

(A) present comprehensive recommendations for the conservation, funding, management, and development of the Heritage Area;

(B) be prepared with public participation;

(C) take into consideration existing Federal, State, county, and local plans and involve residents, public agencies, and private organizations in the Heritage Area;

(D) include a description of actions that units of government and private organizations are recommended to take to protect the resources of the Heritage Area; and

(E) specify existing and potential sources of Federal and non-Federal funding for the conservation, management, and development of the Heritage Area.

(3) **ADDITIONAL PLAN REQUIREMENTS.**—The management plan also shall include the following, as appropriate:

(A) An inventory of resources contained in the Heritage Area, including a list of property in the Heritage Area that should be conserved, restored, managed, developed, or maintained because of the natural, cultural, or historic significance of the property as it relates to the themes of the Heritage Area. The inventory may not include any property that is privately owned unless the owner of the property consents in writing to that inclusion.

(B) A recommendation of policies for resource management that consider and detail the application of appropriate land and water management techniques, including (but not limited to) the development of intergovernmental cooperative agreements to manage the historical, cultural, and natural resources and recreational opportunities of the Heritage Area in a manner consistent with the support of appropriate and compatible economic viability.

(C) A program for implementation of the management plan, including plans for restoration and construction and a description of any commitments that have been made by persons interested in management of the Heritage Area.

(D) An analysis of means by which Federal, State, and local programs may best be coordinated to promote the purposes of this title.

(E) An interpretive plan for the Heritage Area.

(4) **APPROVAL AND DISAPPROVAL OF THE MANAGEMENT PLAN.**—

(A) **IN GENERAL.**—Not later than 180 days after submission of the Heritage Area management plan by the Board, the Secretary shall approve or disapprove the plan. If the Secretary has taken no action after 180 days, the plan shall be considered approved.

(B) **DISAPPROVAL AND REVISIONS.**—If the Secretary disapproves the management plan, the Secretary shall advise the Board, in writing, of the reasons for the disapproval and shall make recommendations for revision of the plan. The Secretary shall approve or disapprove proposed revisions to the plan not later than 60 days after receipt of such revisions from the Board. If the Secretary has taken no action for 60 days after receipt, the plan and revisions shall be considered approved.

(b) **PRIORITIES.**—The Partnership shall give priority to the implementation of actions, goals, and policies set forth in the management plan for the Heritage Area, including—

(1) assisting units of government, regional planning organizations, and nonprofit organizations—

(A) in conserving the natural and cultural resources in the Heritage Area;

(B) in establishing and maintaining interpretive exhibits in the Heritage Area;

(C) in developing recreational opportunities in the Heritage Area;

(D) in increasing public awareness of and appreciation for the natural, historical, and cultural resources of the Heritage Area;

(E) in the restoration of historic buildings that are located within the boundaries of the Heritage Area and related to the theme of the Heritage Area; and

(F) in ensuring that clear, consistent, and environmentally appropriate signs identifying access points and sites of interest are put in place throughout the Heritage Area; and

(2) consistent with the goals of the management plan, encouraging economic viability in the affected communities by appropriate means.

(c) **CONSIDERATION OF INTERESTS OF LOCAL GROUPS.**—The Partnership shall, in preparing and implementing the management plan for the Heritage Area, consider the interest of diverse units of government, businesses, private property owners, and nonprofit groups within the Heritage Area.

(d) **PUBLIC MEETINGS.**—The Partnership shall conduct public meetings at least annually regarding the implementation of the Heritage Area management plan.

(e) **ANNUAL REPORTS.**—The Partnership shall, for any fiscal year in which it receives Federal funds under this title or in which a loan made by the Partnership with Federal funds under section 105(c)(1) is outstanding, submit an annual report to the Secretary setting forth its accomplishments, its expenses and income, and the entities to which it made any loans and grants during the year for which the report is made.

(f) **COOPERATION WITH AUDITS.**—The Partnership shall, for any fiscal year in which it receives Federal funds under this title or in which a loan made by the Partnership with Federal funds under section 105(c)(1) is outstanding, make available for audit by the Congress, the Secretary, and appropriate

units of government all records and other information pertaining to the expenditure of such funds and any matching funds, and require, for all agreements authorizing expenditure of Federal funds by other organizations, that the receiving organizations make available for such audit all records and other information pertaining to the expenditure of such funds.

(g) **DELEGATION.**—The Partnership may delegate the responsibilities and actions under this section for each corridor identified in section 104(b)(1). All delegated actions are subject to review and approval by the Partnership.

SEC. 107. DUTIES AND AUTHORITIES OF FEDERAL AGENCIES.

(a) **TECHNICAL ASSISTANCE AND GRANTS.**—

(1) **IN GENERAL.**—The Secretary may provide technical assistance and, subject to the availability of appropriations, grants to units of government, nonprofit organizations, and other persons upon request of the Partnership, and to the Partnership, regarding the management plan and its implementation.

(2) **PROHIBITION OF CERTAIN REQUIREMENTS.**—The Secretary may not, as a condition of the award of technical assistance or grants under this section, require any recipient of such technical assistance or a grant to enact or modify land use restrictions.

(3) **DETERMINATIONS REGARDING ASSISTANCE.**—The Secretary shall decide if a unit of government, nonprofit organization, or other person shall be awarded technical assistance or grants and the amount of that assistance. Such decisions shall be based on the relative degree to which the assistance effectively fulfills the objectives contained in the Heritage Area management plan and achieves the purposes of this title. Such decisions shall give consideration to projects which provide a greater leverage of Federal funds.

(b) **PROVISION OF INFORMATION.**—In cooperation with other Federal agencies, the Secretary shall provide the general public with information regarding the location and character of the Heritage Area.

(c) **OTHER ASSISTANCE.**—The Secretary may enter into cooperative agreements with public and private organizations for the purposes of implementing this subsection.

(d) **DUTIES OF OTHER FEDERAL AGENCIES.**—Any Federal entity conducting any activity directly affecting the Heritage Area shall consider the potential effect of the activity on the Heritage Area management plan and shall consult with the Partnership with respect to the activity to minimize the adverse effects of the activity on the Heritage Area.

SEC. 108. LACK OF EFFECT ON LAND USE REGULATION AND PRIVATE PROPERTY.

(a) **LACK OF EFFECT ON AUTHORITY OF LOCAL GOVERNMENT.**—Nothing in this title shall be construed to modify, enlarge, or diminish any authority of Federal, State, or local governments to regulate any use of land under any other law or regulation.

(b) **LACK OF ZONING OR LAND USE POWERS.**—Nothing in this title shall be construed to grant powers of zoning or land use control to the Partnership.

(c) **LOCAL AUTHORITY AND PRIVATE PROPERTY NOT AFFECTED.**—Nothing in this title shall be construed to affect or to authorize the Partnership to interfere with—

(1) the rights of any person with respect to private property; or

(2) any local zoning ordinance or land use plan of the State of Michigan or a political subdivision thereof.

SEC. 109. SUNSET.

The Secretary may not make any grant or provide any assistance under this title after September 30, 2014.

SEC. 110. AUTHORIZATION OF APPROPRIATIONS.

(a) **IN GENERAL.**—There are authorized to be appropriated under this title not more

than \$1,000,000 for any fiscal year. Not more than a total of \$10,000,000 may be appropriated for the Heritage Area under this title.

(b) **50 PERCENT MATCH.**—Federal funding provided under this title, after the designation of the Heritage Area, may not exceed 50 percent of the total cost of any activity carried out with any financial assistance or grant provided under this title.

TITLE II—GRAND STAIRCASE-ESCALANTE NATIONAL MONUMENT

SEC. 201. BOUNDARY ADJUSTMENTS AND CONVEYANCES, GRAND STAIRCASE-ESCALANTE NATIONAL MONUMENT, UTAH.

(a) **EXCLUSION OF CERTAIN LANDS.**—The boundaries of the Grand Staircase-Escalante National Monument in the State of Utah are hereby modified to exclude the following lands:

(1) The parcel known as Henrieville Town, Utah, as generally depicted on the map entitled "Henrieville Town Exclusion, Garfield County, Utah", dated March 25, 1998.

(2) The parcel known as Cannonville Town, Utah, as generally depicted on the map entitled "Cannonville Town Exclusion, Garfield County, Utah", dated March 25, 1998.

(3) The parcel known as Tropic Town, Utah, as generally depicted on the map entitled "Tropic Town Parcel", dated July 21, 1998.

(4) The parcel known as Boulder Town, Utah, as generally depicted on the map entitled "Boulder Town Exclusion, Garfield County, Utah", dated March 25, 1998.

(b) **INCLUSION OF CERTAIN ADDITIONAL LANDS.**—The boundaries of the Grand Staircase-Escalante National Monument are hereby modified to include the parcel known as East Clark Bench, as generally depicted on the map entitled "East Clark Bench Inclusion, Kane County, Utah", dated March 25, 1998.

(c) **MAPS.**—The maps referred to in subsections (a) and (b) shall be on file and available for public inspection in the office of the Grand Staircase-Escalante National Monument in the State of Utah and in the office of the Director of the Bureau of Land Management.

(d) **LAND CONVEYANCE, TROPIC TOWN, UTAH.**—The Secretary of the Interior shall convey to Garfield County School District, Utah, all right, title, and interest of the United States in and to the lands shown on the map entitled "Tropic Town Parcel" and dated July 21, 1998, in accordance with section 1 of the Act of June 14, 1926 (43 U.S.C. 869; commonly known as the Recreation and Public Purposes Act), for use as the location for a school and for other education purposes.

(e) **LAND CONVEYANCE, KODACHROME BASIN STATE PARK, UTAH.**—The Secretary shall transfer to the State of Utah all right, title, and interest of the United States in and to the lands shown on the map entitled "Kodachrome Basin Conveyance No. 1 and No. 2" and dated July 21, 1998, in accordance with section 1 of the Act of June 14, 1926 (43 U.S.C. 869; commonly known as the Recreation and Public Purposes Act), for inclusion of the lands in Kodachrome Basin State Park.

SEC. 202. UTILITY CORRIDOR DESIGNATION, U.S. ROUTE 89, KANE COUNTY, UTAH.

There is hereby designated a utility corridor with regard to U.S. Route 89, in Kane County, Utah. The utility corridor shall run from the boundary of Glen Canyon Recreation Area westerly to Mount Carmel Jct. and shall consist of the following:

(1) Bureau of Land Management lands located on the north side of U.S. Route 89 within 240 feet of the center line of the highway.

(2) Bureau of Land Management lands located on the south side of U.S. Route 89

within 500 feet of the center line of the highway.

TITLE III—TUSKEGEE AIRMEN NATIONAL HISTORIC SITE, ALABAMA

SEC. 301. DEFINITIONS.

As used in this title:

(1) **HISTORIC SITE.**—The term "historic site" means the Tuskegee Airmen National Historic Site as established by section 303.

(2) **SECRETARY.**—The term "Secretary" means the Secretary of the Interior.

(3) **TUSKEGEE AIRMEN.**—The term "Tuskegee Airmen" means the thousands of men and women who were trained at Tuskegee University's Moton Field to serve in America's African-American Air Force units during World War II and those men and women who participate in the Tuskegee Experience today, who are represented by Tuskegee Airmen, Inc.

(4) **TUSKEGEE UNIVERSITY.**—The term "Tuskegee University" means the institution of higher education by that name located in the State of Alabama and founded by Booker T. Washington in 1881, formerly named Tuskegee Institute.

SEC. 302. FINDINGS AND PURPOSES.

(a) **FINDINGS.**—The Congress finds the following:

(1) The struggle of African-Americans for greater roles in North American military conflicts spans the 17th, 18th, 19th, and 20th centuries. Opportunities for African-American participation in the United States military were always very limited and controversial. Quotas, exclusion, and racial discrimination were based on the prevailing attitude in the United States, particularly on the part of the United States military, that African-Americans did not possess the intellectual capacity, aptitude, and skills to be successful fighters.

(2) As late as the 1940's these perceptions continued within the United States military. Key leaders within the United States Army Air Corps did not believe that African-Americans possessed the capacity to become successful military pilots. After succumbing to pressure exerted by civil rights groups and the black press, the Army decided to train a small number of African-American pilot cadets under special conditions. Although prejudice and discrimination against African-Americans was a national phenomenon, not just a southern trait, it was more intense in the South where it had hardened into rigidly enforced patterns of segregation. Such was the environment where the military chose to locate the training of the Tuskegee Airmen.

(3) The military selected Tuskegee Institute (now known as Tuskegee University) as a civilian contractor for a variety of reasons. These included the school's existing facilities, engineering and technical instructors, and a climate with ideal flying conditions year round. Tuskegee Institute's strong interest in providing aeronautical training for African-American youths was also an important factor. Students from the school's civilian pilot training program had some of the best test scores when compared to other students from programs across the Southeast.

(4) In 1941 the United States Army Air Corps awarded a contract to Tuskegee Institute to operate a primary flight school at Moton Field. Tuskegee Institute (now known as Tuskegee University) chose an African-American contractor who designed and constructed Moton Field, with the assistance of its faculty and students, as the site for its military pilot training program. The field was named for the school's second president, Robert Russa Moton. Consequently, Tuskegee Institute was one of a very few American institutions (and the only African-American institution) to own, develop, and control facilities for military flight instruction.

(5) Moton Field, also known as the Primary Flying Field or Airport Number 2, was the only primary flight training facility for African-American pilot candidates in the United States Army Air Corps during World War II. The facility symbolizes the entrance of African-American pilots into the United States Army Air Corps, although on the basis of a policy of segregation that was mandated by the military and institutionalized in the South. The facility also symbolizes the singular role of Tuskegee Institute (Tuskegee University) in providing leadership as well as economic and educational resources to make that entry possible.

(6) The Tuskegee Airmen were the first African-American soldiers to complete their training successfully and to enter the United States Army Air Corps. Almost 1,000 aviators were trained as America's first African-American military pilots. In addition, more than 10,000 military and civilian African-American men and women served as flight instructors, officers, bombardiers, navigators, radio technicians, mechanics, air traffic controllers, parachute riggers, electrical and communications specialists, medical professionals, laboratory assistants, cooks, musicians, supply, firefighting, and transportation personnel.

(7) Although military leaders were hesitant to use the Tuskegee Airmen in combat, the Airmen eventually saw considerable action in North Africa and Europe. Acceptance from United States Army Air Corps units came slowly, but their courageous and, in many cases, heroic performance earned them increased combat opportunities and respect.

(8) The successes of the Tuskegee Airmen proved to the American public that African-Americans, when given the opportunity, could become effective military leaders and pilots. This helped pave the way for desegregation of the military, beginning with President Harry S. Truman's Executive Order 9981 in 1948. The Tuskegee Airmen's success also helped set the stage for civil rights advocates to continue the struggle to end racial discrimination during the civil rights movement of the 1950's and 1960's.

(9) The story of the Tuskegee Airmen also reflects the struggle of African-Americans to achieve equal rights, not only through legal attacks on the system of segregation, but also through the techniques of nonviolent direct action. The members of the 477th Bombardment Group, who staged a nonviolent demonstration to desegregate the officer's club at Freeman Field, Indiana, helped set the pattern for direct action protests popularized by civil rights activists in later decades.

(b) PURPOSES.—The purposes of this title are the following:

(1) To inspire present and future generations to strive for excellence by understanding and appreciating the heroic legacy of the Tuskegee Airmen, through interpretation and education, and the preservation of cultural resources at Moton Field, which was the site of primary flight training.

(2) To commemorate and interpret—

(A) the impact of the Tuskegee Airmen during World War II;

(B) the training process for the Tuskegee Airmen, including the roles played by Moton Field, other training facilities, and related sites;

(C) the African-American struggle for greater participation in the United States Armed Forces and more significant roles in defending their country;

(D) the significance of successes of the Tuskegee Airmen in leading to desegregation of the United States Armed Forces shortly after World War II; and

(E) the impacts of Tuskegee Airmen accomplishments on subsequent civil rights advances of the 1950's and 1960's.

(3) To recognize the strategic role of Tuskegee Institute (now Tuskegee University) in training the airmen and commemorating them at this historic site.

SEC. 303. ESTABLISHMENT OF TUSKEGEE AIRMEN NATIONAL HISTORIC SITE.

(a) ESTABLISHMENT.—In order to commemorate and interpret, in association with Tuskegee University, the heroic actions of the Tuskegee Airmen during World War II, there is hereby established as a unit of the National Park System the Tuskegee Airmen National Historic Site in the State of Alabama.

(b) DESCRIPTION OF HISTORIC SITE.—

(1) INITIAL PARCEL.—The historic site shall consist of approximately 44 acres, including approximately 35 acres owned by Tuskegee University and approximately 9 acres owned by the City of Tuskegee, known as Moton Field, in Macon County, Alabama, as generally depicted on a map entitled "Tuskegee Airmen National Historic Site Boundary Map", numbered NHS-TA-80,000, and dated September 1998. Such map shall be on file and available for public inspection in the appropriate offices of the National Park Service.

(2) SUBSEQUENT EXPANSION.—Upon completion of agreements regarding the development and operation of the Tuskegee Airmen National Center as described in subsection 304, the Secretary is authorized to acquire approximately 46 additional acres owned by Tuskegee University as generally depicted on the map referenced in paragraph (1). Lands acquired by the Secretary pursuant to this paragraph shall be administered by the Secretary as part of the historic site.

(c) PROPERTY ACQUISITION.—The Secretary may acquire by donation, exchange, or purchase with donated or appropriated funds the real property described in subsection (b), except that any property owned by the State of Alabama, any political subdivision thereof, or Tuskegee University may be acquired only by donation. Property donated by Tuskegee University shall be used only for purposes consistent with the purposes of this title. The Secretary may also acquire by the same methods personal property associated with, and appropriate for, the interpretation of the historic site.

(d) ADMINISTRATION OF HISTORIC SITE.—

(1) IN GENERAL.—The Secretary shall administer the historic site in accordance with this title and the laws generally applicable to units of the National Park System, including the Act of August 25, 1916 (commonly known as the National Park Service Organic Act; 16 U.S.C. 1 et seq.), and the Act of August 21, 1935 (commonly known as the Historic Sites, Buildings, and Antiquities Act; 16 U.S.C. 461 et seq.).

(2) ROLE OF TUSKEGEE UNIVERSITY.—The Secretary shall consult with Tuskegee University as its principal partner in determining the organizational structure, developing the ongoing interpretive themes, and establishing policies for the wise management, use and development of the historic site. With the agreement of Tuskegee University, the Secretary shall engage appropriate departments, and individual members of the University's staff, faculty, and students in the continuing work of helping to identify, research, explicate, interpret, and format materials for the historic site. Through the President of the University, or with the approval of the President of the University, the Secretary shall seek to engage Tuskegee alumni in the task of providing artifacts and historical information for the historic site.

(3) ROLE OF TUSKEGEE AIRMEN.—The Secretary, in cooperation with Tuskegee University, shall work with the Tuskegee Airmen to facilitate the acquisition of artifacts,

memorabilia, and historical research for interpretive exhibits, and to support their efforts to raise funds for the development of visitor facilities and programs at the historic site.

(4) DEVELOPMENT.—Operation and development of the historic site shall reflect Alternative C, Living History: The Tuskegee Airmen Experience, as expressed in the final special resource study entitled "Moton Field/Tuskegee Airmen Special Resource Study", dated September 1998. Subsequent development of the historic site shall reflect Alternative D after an agreement is reached with Tuskegee University on the development of the Tuskegee Airmen National Center as described in section 304.

(e) COOPERATIVE AGREEMENTS GENERALLY.—The Secretary may enter into cooperative agreements with Tuskegee University, other educational institutions, the Tuskegee Airmen, individuals, private and public organizations, and other Federal agencies in furtherance of the purposes of this title. The Secretary shall consult with Tuskegee University in the formulation of any major cooperative agreements with other universities or federal agencies that may affect Tuskegee University's interests in the historic site. To every extent possible, the Secretary shall seek to complete cooperative agreements requiring the use of higher educational institutions with and through Tuskegee University.

SEC. 304. TUSKEGEE AIRMEN NATIONAL CENTER.

(a) COOPERATIVE AGREEMENT FOR DEVELOPMENT.—The Secretary shall enter into a cooperative agreement with Tuskegee University to define the partnership needed to develop the Tuskegee Airmen National Center on the grounds of the historic site.

(b) PURPOSE OF CENTER.—The purpose of the Tuskegee Airmen National Center shall be to extend the ability to relate more fully the story of the Tuskegee Airmen at Moton Field. The center shall provide for a Tuskegee Airmen Memorial, shall provide large exhibit space for the display of period aircraft and equipment used by the Tuskegee Airmen, and shall house a Tuskegee University Department of Aviation Science. The Secretary shall insure that interpretive programs for visitors benefit from the University's active pilot training instruction program, and the historical continuum of flight training in the tradition of the Tuskegee Airmen. The Secretary is authorized to permit the Tuskegee University Department of Aviation Science to occupy historic buildings within the Moton Field complex until the Tuskegee Airmen National Center has been completed.

(c) REPORT.—Within 1 year after the date of the enactment of this Act, the Secretary, in consultation with Tuskegee University and the Tuskegee Airmen, shall prepare a report on the partnership needed to develop the Tuskegee Airmen National Center, and submit the report to the Committee on Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate.

(d) TIME FOR AGREEMENT.—Sixty days after the report required by subsection (c) is submitted to Congress, the Secretary may enter into the cooperative agreement under this section with Tuskegee University, and other interested partners, to implement the development and operation of the Tuskegee Airmen National Center.

SEC. 305. GENERAL MANAGEMENT PLAN.

Within 2 complete fiscal years after funds are first made available to carry out this title, the Secretary shall prepare, in consultation with Tuskegee University, a general management plan for the historic site and shall submit the plan to the Committee on Resources of the House of Representatives

and the Committee on Energy and Natural Resources of the Senate.

SEC. 306. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated to the Secretary to carry out this title, \$29,114,000.

TITLE IV—DELAWARE AND LEHIGH NATIONAL HERITAGE CORRIDOR OF PENNSYLVANIA

SEC. 401. CHANGE IN NAME OF HERITAGE CORRIDOR.

The Delaware and Lehigh Navigation Canal National Heritage Corridor Act of 1988 (Public Law 100-692; 102 Stat. 4552; 16 U.S.C. 461 note) is amended by striking "Delaware and Lehigh Navigation Canal National Heritage Corridor" each place it appears (except section 4(a)) and inserting "Delaware and Lehigh National Heritage Corridor".

SEC. 402. PURPOSE.

Section 3(b) of such Act (102 Stat. 4552) is amended as follows:

(1) By inserting after "subdivisions" the following: "in enhancing economic development within the context of preservation and";

(2) By striking "and surrounding the Delaware and Lehigh Navigation Canal in the Commonwealth" and inserting "the Corridor".

SEC. 403. CORRIDOR COMMISSION.

(a) MEMBERSHIP.—Section 5(b) of such Act (102 Stat. 4553) is amended as follows:

(1) In the matter preceding paragraph (1), by striking "appointed not later than 6 months after the date of enactment of this Act";

(2) By striking paragraph (2) and inserting the following:

"(2) 3 individuals appointed by the Secretary upon consideration of individuals recommended by the governor, of whom—

"(A) 1 shall represent the Pennsylvania Department of Conservation and Natural Resources;

"(B) 1 shall represent the Pennsylvania Department of Community and Economic Development; and

"(C) 1 shall represent the Pennsylvania Historical and Museum Commission."

(3) In paragraph (3), by striking "the Secretary, after receiving recommendations from the Governor, of whom" and all that follows through "Delaware Canal region" and inserting the following: "the Secretary upon consideration of individuals recommended by the governor, of whom—

"(A) 1 shall represent a city, 1 shall represent a borough, and 1 shall represent a township; and

"(B) 1 shall represent each of the 5 counties of Luzerne, Carbon, Lehigh, Northampton, and Bucks in Pennsylvania".

(4) In paragraph (4)—

(A) By striking "8 individuals" and inserting "9 individuals".

(B) By striking "the Secretary, after receiving recommendations from the Governor, who shall have" and all that follows through "Canal region. A vacancy" and inserting the following: "the Secretary upon consideration of individuals recommended by the governor, of whom—

"(A) 3 shall represent the northern region of the Corridor;

"(B) 3 shall represent the middle region of the Corridor; and

"(C) 3 shall represent the southern region of the Corridor.

A vacancy".

(b) TERMS.—Section 5 of such Act (102 Stat. 4553) is amended by striking subsection (c) and inserting the following:

"(c) TERMS.—The following provisions shall apply to a member of the Commission appointed under paragraph (3) or (4) of subsection (b):

"(1) LENGTH OF TERM.—The member shall be appointed for a term of 3 years.

"(2) CARRYOVER.—The member shall serve until a successor is appointed by the Secretary.

"(3) REPLACEMENT.—If the member resigns or is unable to serve due to incapacity or death, the Secretary shall appoint, not later than 60 days after receiving a nomination of the appointment from the Governor, a new member to serve for the remainder of the term.

"(4) TERM LIMITS.—A member may serve for not more than 6 years."

SEC. 404. POWERS OF CORRIDOR COMMISSION.

(a) CONVEYANCE OF REAL ESTATE.—Section 7(g)(3) of such Act (102 Stat. 4555) is amended in the first sentence by inserting "or non-profit organization" after "appropriate public agency".

(b) COOPERATIVE AGREEMENTS.—Section 7(h) of such Act (102 Stat. 4555) is amended as follows:

(1) In the first sentence, by inserting "any non-profit organization," after "subdivision of the Commonwealth,".

(2) In the second sentence, by inserting "such nonprofit organization," after "such political subdivision,".

SEC. 405. DUTIES OF CORRIDOR COMMISSION.

Section 8(b) of such Act (102 Stat. 4556) is amended in the matter preceding paragraph (1) by inserting ", cultural, natural, recreational, and scenic" after "interpret the historic".

SEC. 406. TERMINATION OF CORRIDOR COMMISSION.

Section 9(a) of such Act (102 Stat. 4556) is amended by striking "5 years after the date of enactment of this Act" and inserting "5 years after the date of enactment of the Omnibus National Parks and Public Lands Act of 1998".

SEC. 407. DUTIES OF OTHER FEDERAL ENTITIES.

Section 11 of such Act (102 Stat. 4557) is amended in the matter preceding paragraph (1) by striking "the flow of the Canal or the natural" and inserting "directly affecting the purposes of the Corridor".

SEC. 408. AUTHORIZATION OF APPROPRIATIONS.

(a) COMMISSION.—Section 12(a) of such Act (102 Stat. 4558) is amended by striking "\$350,000" and inserting "\$1,000,000".

(b) MANAGEMENT ACTION PLAN.—Section 12 of such Act (102 Stat. 4558) is amended by adding at the end the following:

"(c) MANAGEMENT ACTION PLAN.—

"(1) IN GENERAL.—To implement the management action plan created by the Commission, there is authorized to be appropriated \$1,000,000 for each of fiscal years 2000 through 2007.

"(2) LIMITATION ON EXPENDITURES.—Amounts made available under paragraph (1) shall not exceed 50 percent of the costs of implementing the management action plan."

SEC. 409. LOCAL AUTHORITY AND PRIVATE PROPERTY.

Such Act is further amended—

(1) by redesignating section 13 (102 Stat. 4558) as section 14; and

(2) by inserting after section 12 the following:

"SEC. 13. LOCAL AUTHORITY AND PRIVATE PROPERTY.

"The Commission shall not interfere with—

"(1) the private property rights of any person; or

"(2) any local zoning ordinance or land use plan of the Commonwealth of Pennsylvania or any political subdivision of Pennsylvania."

SEC. 410. DUTIES OF THE SECRETARY.

Section 10 of such Act (102 Stat. 4557) is amended by striking subsection (d) and inserting the following:

"(d) TECHNICAL ASSISTANCE AND GRANTS.—The Secretary, upon request of the Commission, is authorized to provide grants and technical assistance to the Commission or units of government, nonprofit organizations, and other persons, for development and implementation of the Plan."

TITLE V—OTHER MATTERS

SEC. 501. BLACKSTONE RIVER VALLEY NATIONAL HERITAGE CORRIDOR, MASSACHUSETTS AND RHODE ISLAND.

Section 10(b) of the Act entitled "An Act to establish the Blackstone River Valley National Heritage Corridor in Massachusetts and Rhode Island", approved November 10, 1986 (Public Law 99-647; 16 U.S.C. 461 note), is amended by striking "For fiscal year 1996, 1997, and 1998," and inserting "For fiscal years 1998, 1999, and 2000,".

SEC. 502. ILLINOIS AND MICHIGAN CANAL NATIONAL HERITAGE CORRIDOR, ILLINOIS.

(a) EXTENSION OF COMMISSION.—Section 111(a) of the Illinois and Michigan Canal National Heritage Corridor Act of 1984 (Public Law 98-398; 98 Stat. 1456; 16 U.S.C. 461 note) is amended by striking "ten" and inserting "20".

(b) REPEAL OF EXTENSION AUTHORITY.—Section 111 of such Act (16 U.S.C. 461 note) is further amended—

(1) by striking "(a) TERMINATION.—"; and

(2) by striking subsection (b).

SEC. 503. WASATCH-CACHE NATIONAL FOREST AND MOUNT NAOMI WILDERNESS, UTAH.

(a) BOUNDARY ADJUSTMENT.—To correct a faulty land survey, the boundaries of the Wasatch-Cache National Forest in the State of Utah and the boundaries of the Mount Naomi Wilderness, which is located within the Wasatch-Cache National Forest and was established as a component of the National Wilderness Preservation System in section 102(a)(1) of the Utah Wilderness Act of 1984 (Public Law 98-428; 98 Stat. 1657), are hereby modified to exclude the parcel of land known as the D. Hyde property, which encompasses an area of cultivation and private use, as generally depicted on the map entitled "D. Hyde Property Section 7 Township 12 North Range 2 East SLB & M", dated July 23, 1998.

(b) LAND CONVEYANCE.—The Secretary of Agriculture shall convey to Darrell Edward Hyde of Cache County, Utah, all right, title, and interest of the United States in and to the parcel of land identified in subsection (a). As part of the conveyance, the Secretary shall release, on behalf of the United States, any claims of the United States against Darrell Edward Hyde for trespass or unauthorized use of the parcel before its conveyance.

(c) WILDERNESS ADDITION.—To prevent any net loss of wilderness within the State of Utah, the boundaries of the Mount Naomi Wilderness are hereby modified to include a parcel of land comprising approximately 7.25 acres, identified as the "Mount Naomi Wilderness Boundary Realignment Consideration" on the map entitled "Mount Naomi Wilderness Addition", dated September 25, 1998.

SEC. 504. AUTHORIZATION TO USE LAND IN MERCED COUNTY, CALIFORNIA, FOR ELEMENTARY SCHOOL.

(a) REMOVAL OF RESTRICTIONS.—Notwithstanding the restrictions otherwise applicable under the terms of conveyance by the United States of any of the land described in subsection (b) to Merced County, California, or under any agreement concerning any part of such land between such county and the Secretary of the Interior or any other officer or agent of the United States, the land described in subsection (b) may be used for the purpose specified in subsection (c).

(b) LAND AFFECTED.—The land referred to in subsection (a) is the north 25 acres of the

40 acres located in the northwest quarter of the southwest quarter of section 20, township 7 south, range 13 east, Mount Diablo base line and Meridian in Merced County, California, conveyed to such county by deed recorded in volume 1941 at page 441 of the official records in Merced County, California.

(c) **AUTHORIZED USES.**—Merced County, California, may authorize the use of the land described in subsection (b) for an elementary school serving children without regard to their race, creed, color, national origin, physical or mental disability, or sex, operated by a nonsectarian organization on a nonprofit basis and in compliance with all applicable requirements of the laws of the United States and the State of California. If Merced County permits such lands to be used for such purposes, the county shall include information concerning such use in the periodic reports to the Secretary of the Interior required under the terms of the conveyance of such lands to the county by the United States. Any violation of the provisions of this subsection shall be deemed to be a breach of the conditions and covenants under which such lands were conveyed to Merced County by the United States, and shall have the same effect as provided by deed whereby the United States conveyed the lands to the county. Except as specified in this subsection, nothing in this section shall increase or diminish the authority or responsibility of the county with respect to the land.

SEC. 505. ROSIE THE RIVETER NATIONAL PARK SERVICE AFFILIATED SITE.

(a) **FINDINGS.**—The Congress finds the following:

(1) The City of Richmond, California, is located on the northeastern shore of San Francisco Bay and consists of several miles of waterfront which have been used for shipping and industry since the beginning of the 20th century. During the years of World War II, the population of Richmond grew from 220 to over 100,000.

(2) An area of Richmond, California, now known as Marina Park and Marina Green, was the location in the 1940's of the Richmond Kaiser Shipyards, which produced Liberty and Victory ships during World War II.

(3) Thousands of women of all ages and ethnicities moved from across the United States to Richmond, California, in search of high paying jobs and skills never before available to women in the shipyards.

(4) Kaiser Corporation supported women workers by installing child care centers at the shipyards so mothers could work while their children were well cared for nearby.

(5) These women, referred to as "Rosie the Riveter" and "Wendy the Welder", built hundreds of liberty and victory ships in record time for use by the United States Navy. Their labor played a crucial role in increasing American productivity during the war years and in meeting the demand for naval ships.

(6) In part the Japanese plan to defeat the United States Navy was predicated on victory occurring before United States shipyards could build up its fleet of ships.

(7) The City of Richmond, California, has dedicated the former site of Kaiser Shipyard #2 as Rosie the Riveter Memorial Park and will construct a memorial honoring American women's labor during World War II. The memorial will be representative of one of the Liberty ships built on the site during the war effort.

(8) The City of Richmond, California, is committed to collective interpretative oral histories for the public to learn of the stories of the "Rosies" and "Wendys" who worked in the shipyards.

(9) The Rosie the Riveter Park is a nationally significant site because there tens of thousands of women entered the work force

for the first time, working in heavy industry to support their families and the War effort. This was a turning point for the Richmond, California, area and the nation as a whole, when women joined the workforce and successfully completed jobs for which previously it was believed they were incapable.

(b) **STUDY.**—

(1) **IN GENERAL.**—The Secretary of the Interior shall conduct a feasibility study to determine whether—

(A) the Rosie the Riveter Park located in Richmond, California, is suitable for designation as an affiliated site to the National Park Service; and

(B) the Rosie the Riveter Memorial Committee established by the City of Richmond, California, with respect to that park is eligible for technical assistance for interpretative functions relating to the park, including preservation of oral histories from former workers at the Richmond Kaiser Shipyards.

(2) **REPORTS.**—Not later than 6 months after the date of the enactment of this Act, the Secretary shall complete the study under paragraph (1) and submit a report containing findings, conclusions, and recommendations from the study to the Committee on Resources of the House of Representatives and the Committee on Energy and Environment of the Senate.

SEC. 506. FORT DAVIS HISTORIC SITE, FORT DAVIS, TEXAS.

The Act entitled "An Act Authorizing the establishment of a national historic site at Fort Davis, Jeff Davis County, Texas", approved September 8, 1961 (75 Stat. 488; 16 U.S.C. 461 note), is amended in the first section by striking "not to exceed four hundred and sixty acres" and inserting "not to exceed 476 acres".

SEC. 507. REAUTHORIZATION OF DELAWARE WATER GAP NATIONAL RECREATION AREA CITIZEN ADVISORY COMMISSION.

Section 5 of Public Law 101-573 (16 U.S.C. 460o note) is amended by striking "10" and inserting "20".

SEC. 508. ACQUISITION OF WARREN PROPERTY FOR MORRISTOWN NATIONAL HISTORICAL PARK.

The Act entitled "An Act to provide for the establishment of the Morristown National Historical Park in the State of New Jersey, and for other purposes", approved March 2, 1933 (chapter 182; 16 U.S.C. 409 et seq.), is amended by adding at the end the following new section:

"SEC. 8. (a) In addition to any other lands or interest authorized to be acquired for inclusion in Morristown National Historical Park, and notwithstanding the first proviso of the first section of this Act, the Secretary of the Interior may acquire by purchase, donation, purchase with appropriated funds, or otherwise, not to exceed 15 acres of land and interests therein comprising the property known as the Warren Property or Mount Kimble. The Secretary may expend such sums as may be necessary for such acquisition.

"(b) Any lands or interests acquired under this section shall be included in and administered as part of the Morristown National Historical Park."

SEC. 509. GEORGE WASHINGTON BIRTHPLACE NATIONAL MONUMENT, VIRGINIA.

(a) **ACQUISITION OF EASEMENT.**—The Secretary of the Interior may acquire no more than a less than fee interest in the property generally known as George Washington's Boyhood Home, Ferry Farm, located in Stafford County, Virginia, across the Rappahannock River from Fredericksburg, Virginia, comprising approximately 85 acres as generally depicted on the map entitled "George Washington Birthplace National Monument Boundary Map", numbered 322/80,020, and

dated April 1998, to ensure the preservation of the important cultural and natural resources associated with Ferry Farm. The Secretary of the Interior shall keep the map on file and available for public inspection in appropriate offices of the National Park Service.

(b) **MANAGEMENT OF EASEMENT.**—The Secretary shall enter into a cooperative agreement with Kenmore Association, Inc., for the management of Ferry Farm pending completion of the study referred to in subsection (c).

(c) **RESOURCE STUDY.**—Not later than 18 months after the date on which funds are made available to carry out this section, the Secretary of the Interior shall submit to the Committee on Energy and Natural Resources of the Senate and the Committee on Resources of the House of Representatives a resource study of the property described in subsection (a). The study shall—

(1) identify the full range of resources and historic themes associated with Ferry Farm, including those associated with George Washington's tenure at the property and those associated with the Civil War period;

(2) identify alternatives for further National Park Service involvement at the property beyond those that may be provided for in the acquisition authorized under subsection (a); and

(3) include cost estimates for any necessary acquisition, development, interpretation, operation, and maintenance associated with the alternatives identified.

(d) **AGREEMENTS.**—Upon completion of the resource study under subsection (c), the Secretary of the Interior may enter into an agreement with the owner of the property described in subsection (a) or other entities for the purpose of providing programs, services, facilities, or technical assistance that further the preservation and public use of the property.

SEC. 510. ABRAHAM LINCOLN BIRTHPLACE NATIONAL HISTORIC SITE, KENTUCKY.

(a) **IN GENERAL.**—Upon acquisition of the land known as Knob Creek Farm pursuant to subsection (b), the boundary of the Abraham Lincoln Birthplace National Historic Site, established by the Act of July 17, 1916 (39 Stat. 385, chapter 247; 16 U.S.C. 211 et seq.), is revised to include such land. Lands acquired pursuant to this section shall be administered by the Secretary of the Interior as part of the historic site.

(b) **ACQUISITION OF KNOB CREEK FARM.**—The Secretary of the Interior may acquire, by donation only, the approximately 228 acres of land known as Knob Creek Farm in Larue County, Kentucky, as generally depicted on a map entitled "Knob Creek Farm Unit, Abraham Lincoln National Historic Site", numbered 338/80,077, and dated October 1998. Such map shall be on file and available for public inspection in the appropriate offices of the National Park Service.

(c) **STUDY AND REPORT.**—The Secretary of the Interior shall study the Knob Creek Farm in Larue County, Kentucky, and not later than 1 year after the date of enactment of this Act, submit a report to the Congress containing the results of the study. The purpose of the study shall be to:

(1) Identify significant resources associated with the Knob Creek Farm and the early boyhood of Abraham Lincoln.

(2) Evaluate the threats to the long-term protection of the Knob Creek Farm's cultural, recreational, and natural resources.

(3) Examine the incorporation of the Knob Creek Farm into the operations of the Abraham Lincoln Birthplace National Historic Site and establish a strategic management plan for implementing such incorporation. In developing the plan, the Secretary shall—

(A) determine infrastructure requirements and property improvements needed at Knob

Creek Farm to meet National Park Service standards;

(B) identify current and potential uses of Knob Creek Farm for recreational, interpretive, and educational opportunities; and

(C) project costs and potential revenues associated with acquisition, development, and operation of Knob Creek Farm.

(d) AUTHORIZATION.—There are authorized to be appropriated such sums as may be necessary to carry out subsection (c).

SEC. 511. STUDIES OF POTENTIAL NATIONAL PARK SYSTEM UNITS IN HAWAII.

(a) IN GENERAL.—The Secretary of the Interior, acting through the Director of the National Park Service, shall undertake feasibility studies regarding the establishment of National Park System units in the following areas in the State of Hawaii:

(1) Island of Maui: The shoreline area known as "North Beach", immediately north of the present resort hotels at Kaanapali Beach, in the Lahaina district in the area extending from the beach inland to the main highway.

(2) Island of Lanai: The mountaintop area known as "Hale" in the central part of the island.

(3) Island of Kauai: The shoreline area from "Anini Beach" to "Makua Tunnels" on the north coast of this island.

(4) Island of Molokai: The "Halawa Valley" on the eastern end of the island, including its shoreline, cove and lookout/access roadway.

(b) KALAUPAPA SETTLEMENT BOUNDARIES.—The studies conducted under this section shall include a study of the feasibility of extending the present National Historic Park boundaries at Kalaupapa Settlement eastward to Halawa Valley along the island's north shore.

(c) REPORT.—A report containing the results of the studies under this section shall be submitted to the Congress promptly upon completion.

SEC. 512. MEMORIAL TO MR. BENJAMIN BANNEKER IN THE DISTRICT OF COLUMBIA.

(a) MEMORIAL AUTHORIZED.—The Washington Interdependence Council of the District of Columbia is authorized to establish a memorial in the District of Columbia to honor and commemorate the accomplishments of Mr. Benjamin Banneker.

(b) COMPLIANCE WITH STANDARDS FOR COMMEMORATIVE WORKS.—The establishment of the memorial shall be in accordance with the Commemorative Works Act (40 U.S.C. 1001 et seq.).

(c) PAYMENT OF EXPENSES.—The Washington Interdependence Council shall be solely responsible for acceptance of contributions for, and payment of the expenses of, the establishment of the memorial. No Federal funds may be used to pay any expense of the establishment of the memorial.

(d) DEPOSIT OF EXCESS FUNDS.—If, upon payment of all expenses of the establishment of the memorial (including the maintenance and preservation amount required under section 8(b) of the Commemorative Works Act (40 U.S.C. 1008(b))), or upon expiration of the authority for the memorial under section 10(b) of such Act (40 U.S.C. 1010(b)), there remains a balance of funds received for the establishment of the memorial, the Washington Interdependence Council shall transmit the amount of the balance to the Secretary of the Treasury for deposit in the account provided for in section 8(b)(1) of such Act (40 U.S.C. 1008(b)(1)).

SEC. 513. LAND ACQUISITION, BOSTON HARBOR ISLANDS RECREATION AREA.

Section 1029(c) of division I of the Omnibus Parks and Public Lands Management Act of 1996 (Public Law 104-333; 110 Stat. 4233; 16 U.S.C. 460kkk(c)) is amended by adding at the end the following new paragraph:

"(3) LAND ACQUISITION.—Notwithstanding subsection (h), the Secretary is authorized to acquire, in partnership with other entities, a less than fee interest in lands at Thompson Island within the recreation area. The Secretary may acquire the lands only by donation, purchase with donated or appropriated funds, or by exchange."

The bill, as amended, was ordered to be engrossed and read a third time, was read a third time by title, and passed.

By unanimous consent, the title was amended so as to read: "An Act to authorize the Automobile National Heritage Area in the State of Michigan, and for other purposes."

A motion to reconsider the votes whereby the bill, as amended, was passed and the title was amended was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶107.30 APACHE-SITGREAVES NATIONAL FOREST

On motion of Mr. HANSEN, by unanimous consent, the bill of the Senate (S. 2413) to provide for the development of a management plan for the Woodland Lake Park tract in Apache-Sitgreaves National Forest in the State of Arizona reflecting the current use of the tract as a public park; was taken from the Speaker's table.

When said bill was considered, read twice, ordered to be read a third time, was read a third time by title, and passed.

A motion to reconsider the vote whereby said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶107.31 ARCHES NATIONAL PARK, UTAH

On motion of Mr. HANSEN, by unanimous consent, the bill of the Senate (S. 2106) to expand the boundaries of Arches National Park, Utah, to include portions of certain drainages that are under the jurisdiction of the Bureau of Land Management, and to include a portion of Fish Seep Draw owned by the State of Utah, and for other purposes; was taken from the Speaker's table.

When said bill was considered, read twice, ordered to be read a third time, was read a third time by title, and passed.

A motion to reconsider the vote whereby said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶107.32 NATIONAL CAVE AND KARST RESEARCH INSTITUTE

On motion of Mr. HANSEN, by unanimous consent, the bill of the Senate (S. 231) to establish the National Cave and Karst Research Institute in the State of New Mexico, and for other purposes; was taken from the Speaker's table.

When said bill was considered, read twice, ordered to be read a third time, was read a third time by title, and passed.

A motion to reconsider the vote whereby said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶107.33 SUDBURY, ASSABET, AND CONCORD RIVERS

On motion of Mr. HANSEN, by unanimous consent, the bill of the Senate (S. 469) to designate a portion of the Sudbury, Assabet, and Concord Rivers as a component of the National Wild and Scenic Rivers System; was taken from the Speaker's table.

When said bill was considered and read twice.

Mr. HANSEN submitted the following amendment in the nature of a substitute which was agreed to:

Strike out all after the enacting clause and insert:

SECTION 1. DESIGNATION OF SUDBURY, ASSABET, AND CONCORD SCENIC AND RECREATIONAL RIVERS, MASSACHUSETTS.

(a) FINDINGS.—The Congress finds the following:

(1) The Sudbury, Assabet, and Concord Wild and Scenic River Study Act (title VII of Public Law 101-628; 104 Stat. 4497)—

(A) designated segments of the Sudbury, Assabet, and Concord Rivers in the Commonwealth of Massachusetts, totaling 29 river miles, for study and potential addition to the National Wild and Scenic Rivers System; and

(B) directed the Secretary of the Interior to establish the Sudbury, Assabet, and Concord Rivers Study Committee (in this section referred to as the "Study Committee") to advise the Secretary in conducting the study and in the consideration of management alternatives should the rivers be included in the National Wild and Scenic Rivers System.

(2) The study determined the following river segments are eligible for inclusion in the National Wild and Scenic Rivers System based on their free-flowing condition and outstanding scenic, recreation, wildlife, cultural, and historic values:

(A) The 16.6-mile segment of the Sudbury River beginning at the Danforth Street Bridge in the town of Framingham, to its confluence with the Assabet River.

(B) The 4.4-mile segment of the Assabet River from 1,000 feet downstream from the Damon Mill Dam in the town of Concord to the confluence with the Sudbury River at Egg Rock in Concord.

(C) The 8-mile segment of the Concord River from Egg Rock at the confluence of the Sudbury and Assabet Rivers to the Route 3 bridge in the town of Billerica.

(3) The towns that directly abut the segments, including Framingham, Sudbury, Wayland, Lincoln, Concord, Bedford, Carlisle, and Billerica, Massachusetts, have each demonstrated their desire for National Wild and Scenic River designation through town meeting votes endorsing designation.

(4) During the study, the Study Committee and the National Park Service prepared a comprehensive management plan for the segment, entitled "Sudbury, Assabet and Concord Wild and Scenic River Study, River Conservation Plan" and dated March 16, 1995 (in this section referred to as the "plan"), which establishes objectives, standards, and action programs that will ensure long-term protection of the rivers' outstanding values and compatible management of their land and water resources.

(5) The Study Committee voted unanimously on February 23, 1995, to recommend that the Congress include these segments in

the National Wild and Scenic Rivers System for management in accordance with the plan.

(b) DESIGNATION.—Section 3(a) of the Wild and Scenic Rivers Act (16 U.S.C. 1274(a)) is amended—

(1) by designating the four undesignated paragraphs after paragraph (156) as paragraphs (157), (158), (159), and (160), respectively; and

(2) by adding at the end the following new paragraph:

“(161) SUDBURY, ASSABET, AND CONCORD RIVERS, MASSACHUSETTS.—(A) The 29 miles of river segments in Massachusetts, as follows:

“(i) The 14.9-mile segment of the Sudbury River beginning at the Danforth Street Bridge in the town of Framingham, downstream to the Route 2 Bridge in Concord, as a scenic river.

“(ii) The 1.7-mile segment of the Sudbury River from the Route 2 Bridge downstream to its confluence with the Assabet River at Egg Rock, as a recreational river.

“(iii) The 4.4-mile segment of the Assabet River beginning 1,000 feet downstream from the Damon Mill Dam in the town of Concord, to its confluence with the Sudbury River at Egg Rock in Concord; as a recreational river.

“(iv) The 8-mile segment of the Concord River from Egg Rock at the confluence of the Sudbury and Assabet Rivers downstream to the Route 3 Bridge in the town of Billerica, as a recreational river.

“(B) The segments referred to in subparagraph (A) shall be administered by the Secretary of the Interior in cooperation with the SUASCO River Stewardship Council provided for in the plan referred to in subparagraph (C) through cooperative agreements under section 10(e) between the Secretary and the Commonwealth of Massachusetts and its relevant political subdivisions (including the towns of Framingham, Wayland, Sudbury, Lincoln, Concord, Carlisle, Bedford, and Billerica).

“(C) The segments referred to in subparagraph (A) shall be managed in accordance with the plan entitled ‘Sudbury, Assabet and Concord Wild and Scenic River Study, River Conservation Plan’, dated March 16, 1995. The plan is deemed to satisfy the requirement for a comprehensive management plan under subsection (d) of this section.”

(c) FEDERAL ROLE IN MANAGEMENT.—(1) The Director of the National Park Service or the Director's designee shall represent the Secretary of the Interior in the implementation of the plan, this section, and the Wild and Scenic Rivers Act with respect to each of the segments designated by the amendment made by subsection (b)(2), including the review of proposed federally assisted water resources projects that could have a direct and adverse effect on the values for which the segment is established, as authorized under section 7(a) of the Wild and Scenic Rivers Act (16 U.S.C. 1278(a)).

(2) Pursuant to sections 10(e) and section 11(b)(1) of the Wild and Scenic Rivers Act (16 U.S.C. 1281(e), 1282(b)(1)), the Director shall offer to enter into cooperative agreements with the Commonwealth of Massachusetts, its relevant political subdivisions, the Sudbury Valley Trustees, and the Organization for the Assabet River. Such cooperative agreements shall be consistent with the plan and may include provisions for financial or other assistance from the United States to facilitate the long-term protection, conservation, and enhancement of each of the segments designated by the amendment made by subsection (b)(2).

(3) The Director may provide technical assistance, staff support, and funding to assist in the implementation of the plan, except that the total cost to the Federal Government of activities to implement the plan may not exceed \$100,000 each fiscal year.

(4) Notwithstanding section 10(c) of the Wild and Scenic Rivers Act (16 U.S.C. 1281(c)), any portion of a segment designated by the amendment made by subsection (b)(2) that is not already within the National Park System shall not under this section—

(A) become a part of the National Park System;

(B) be managed by the National Park Service; or

(C) be subject to regulations which govern the National Park System.

(d) WATER RESOURCES PROJECTS.—(1) In determining whether a proposed water resources project would have a direct and adverse effect on the values for which the segments designated by the amendment made by subsection (b)(2) were included in the National Wild and Scenic Rivers System, the Secretary of the Interior shall specifically consider the extent to which the project is consistent with the plan.

(2) The plan, including the detailed Water Resources Study incorporated by reference in the plan and such additional analysis as may be incorporated in the future, shall serve as the primary source of information regarding the flows needed to maintain instream resources and potential compatibility between resource protection and possible additional water withdrawals.

(e) LAND MANAGEMENT.—(1) The zoning by-laws of the towns of Framingham, Sudbury, Wayland, Lincoln, Concord, Carlisle, Bedford, and Billerica, Massachusetts, as in effect on the date of enactment of this Act, are deemed to satisfy the standards and requirements under section 6(c) of the Wild and Scenic Rivers Act (16 U.S.C. 1277(c)). For the purpose of that section, the towns are deemed to be “villages” and the provisions of that section which prohibit Federal acquisition of lands through condemnation shall apply.

(2) The United States Government shall not acquire by any means title to land, easements, or other interests in land along the segments designated by the amendment made by subsection (b)(2) or their tributaries for the purposes of designation of the segments under the amendment. Nothing in this section shall prohibit Federal acquisition of interests in land along those segments or tributaries under other laws for other purposes.

(f) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Secretary of the Interior to carry out this section not to exceed \$100,000 for each fiscal year.

SEC. 2. CHATTAHOOCHEE RIVER NATIONAL RECREATION AREA.

(a) FINDINGS.—The Congress finds that:

(1) The Chattahoochee River National Recreation Area is a nationally significant resource and the national recreation area has been adversely affected by land use changes occurring within and outside its boundaries.

(2) The population of the metropolitan Atlanta area continues to expand northward, leaving dwindling opportunities to protect the scenic, recreation, natural, and historic values of the 2,000-foot wide corridor adjacent to each bank of the Chattahoochee River and its impoundments in the 48-mile segment known as the area of national concern.

(3) The State of Georgia has enacted the Metropolitan River Protection Act in order to ensure the protection of the corridor located within 2,000 feet of each bank of the Chattahoochee River, or the 100-year flood plain, whichever is greater, and such corridor includes the area of national concern.

(4) Visitor use of the Chattahoochee River National Recreation Area has shifted dramatically since the establishment of the national recreation area from waterborne to water-related and land-based activities.

(5) The State of Georgia and its political subdivisions along the Chattahoochee River have indicated their willingness to join in cooperative efforts with the United States of America to link existing units of the national recreation area with a series of linear corridors to be established within the area of national concern and elsewhere on the river and provided Congress appropriates certain funds in support of such effort, funding from the State, its political subdivisions, private foundations, corporate entities, private individuals, and other sources will be available to fund more than half of the estimated cost of such cooperative effort.

(b) PURPOSES.—The purposes of this section are to—

(1) increase the level of protection of the remaining open spaces within the area of national concern along the Chattahoochee River and to enhance visitor enjoyment of such areas by adding land-based links between existing units of the national recreation area;

(2) assure that the national recreation area is managed to standardize acquisition, planning, design, construction, and operation of the linear corridors; and

(3) authorize the appropriation of Federal funds to cover a portion of the costs of the Federal, State, local, and private cooperative effort to add additional areas to the Chattahoochee River National Recreation Area in order to establish a series of linear corridors linking existing units of the national recreation area and to protect other undeveloped portions of the Chattahoochee River corridor.

(c) AMENDMENTS TO CHATTAHOOCHEE NRA ACT.—The Act of August 15, 1978, entitled “An Act to authorize the establishment of the Chattahoochee River National Recreation Area in the State of Georgia, and for other purposes” (Public Law 95-344; 16 U.S.C. 460ii et seq.) is amended as follows:

(1) Section 101 (16 U.S.C. 460ii) is amended as follows:

(A) By inserting after “numbered Chat-20,003, and dated September 1984” the following: “and on the maps entitled ‘Chattahoochee River National Recreation Area Interim Boundary Maps 1, 2, and 3’ and dated August 6, 1998”.

(B) By amending the fourth sentence to read as follows: “After July 1, 1999, the Secretary of the Interior (in this Act referred to as the ‘Secretary’) may modify the boundaries of the recreation area to include other lands within the river corridor of the Chattahoochee River by submitting a revised map or other boundary description to the Congress. Such revised boundaries shall take effect on the date 6 months after the date of such submission unless, within such 6-month period, the Congress adopts a Joint Resolution disapproving such revised boundaries. Such revised map or other boundary description shall be prepared by the Secretary after consultation with affected landowners and with the State of Georgia and affected political subdivisions.”

(C) By striking out “may not exceed approximately 6,800 acres.” and inserting “may not exceed 10,000 acres.”

(2) Section 102(f) (16 U.S.C. 460ii-1(f)) is repealed.

(3) Section 103(b) (16 U.S.C. 460ii-2(b)) is amended to read as follows:

“(b) COOPERATIVE AGREEMENTS.—The Secretary is authorized to enter into cooperative agreements with the State, its political subdivisions, and other entities to assure standardized acquisition, planning, design, construction, and operation of the national recreation area.”

(4) Section 105(a) (16 U.S.C. 460ii-4(a)) is amended to read as follows:

“(a) AUTHORIZATION OF APPROPRIATIONS; ACCEPTANCE OF DONATIONS.—In addition to

funding and the donation of lands and interests in lands provided by the State of Georgia, local government authorities, private foundations, corporate entities, and individuals, and funding that may be available pursuant to the settlement of litigation, there is hereby authorized to be appropriated for land acquisition not more than \$25,000,000 for fiscal years after fiscal year 1998. The Secretary is authorized to accept the donation of funds and lands or interests in lands to carry out this Act."

(5) Section 105(c) (16 U.S.C. 460ii-4(c)) is amended by adding the following at the end thereof: "The Secretary shall submit a new plan within 3 years after the enactment of this sentence to provide for the protection, enhancement, enjoyment, development, and use of areas added to the national recreation area. During the preparation of the revised plan the Secretary shall seek and encourage the participation of the State of Georgia and its affected political subdivisions, private landowners, interested citizens, public officials, groups, agencies, educational institutions, and others."

(6) Section 102(a) (16 U.S.C. 460ii-1(a)) is amended by inserting the following before the period at the end of the first sentence: ", except that lands and interests in lands within the Addition Area depicted on the map referred to in section 101 may not be acquired without the consent of the owner thereof".

The bill, as amended, was ordered to be read a third time, was read a third time by title, and passed.

By unanimous consent, the title was amended so as to read: "An Act to designate a portion of the Sudbury, Assabet, and Concord Rivers as a component of the National Wild and Scenic Rivers System, and for other purposes."

A motion to reconsider the votes whereby said bill, as amended, was passed and the title was amended was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said amendments.

¶107.34 EXCHANGE OF LANDS-GUSTAVUS, ALASKA

On motion of Mr. HANSEN, by unanimous consent, the bill (H.R. 3903) to provide for an exchange of lands located near Gustavus, Alaska, and for other purposes; together with the following amendments of the Senate thereto, was taken from the Speaker's table:

Page 2, line 8, strike out "paragraph (4)" and insert: "paragraph (2)"

Page 2, line 9, strike out "paragraph (3)" and insert: "paragraph (4)"

Page 4, line 1, strike out "\$838.66" and insert: "\$1191.75"

Page 11, line 19, strike out "units" and insert: "units resulting from this Act"

Page 11, line 20, strike out "consideration in applying" and insert: "charged against"

Page 12, line 1, strike out "units" and insert: "units resulting from this Act"

Page 12, lines 1 and 2, strike out "be considered in applying" and insert: "be charged against"

On motion of Mr. HANSEN, said Senate amendments were agreed to.

A motion to reconsider the vote whereby said Senate amendments were agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶107.35 NATIONAL HISTORIC TRAILS INTERPRETIVE CENTER

On motion of Mr. HANSEN, by unanimous consent, the bill (H.R. 2186) to authorize the Secretary of the Interior to provide assistance to the National Historic Trails Interpretive Center in Casper, Wyoming; together with the following amendments of the Senate thereto, was taken from the Speaker's table:

Page 6, line 6, strike out all after "retain," down to and including "appropriations," in line 7 and insert: "and"

Page 6, line 16, strike out "subject to appropriations,"

Page 6, strike out all after line 18, over to and including line 6 on page 7

Page 7, line 7, strike out "(f)" and insert: "(e)"

On motion of Mr. HANSEN, said Senate amendments were agreed to.

A motion to reconsider the vote whereby said Senate amendments were agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶107.36 ROGUE RIVER NATIONAL FOREST

On motion of Mr. HANSEN, by unanimous consent, the bill (H.R. 3796) to authorize the Secretary of Agriculture to convey the administrative site for the Rogue River National Forest and use the proceeds for the construction or improvement of offices and support buildings for the Rogue River National Forest and the Bureau of Land Management; together with the following amendment of the Senate thereto, was taken from the Speaker's table:

Page 2, line 15, strike out "provide" and insert: "accept"

On motion of Mr. HANSEN, said Senate amendment were agreed to.

A motion to reconsider the vote whereby said Senate amendment were agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶107.37 STANISLAUS NATIONAL FOREST

On motion of Mr. HANSEN, by unanimous consent, the bill (H.R. 2886) to provide for a demonstration project in the Stanislaus National Forest, California, under which a private contractor will perform multiple resource management activities for that unit of the National Forest System; together with the following amendment of the Senate thereto, was taken from the Speaker's table:

Page 2, line 23, strike out "prescribed burns" and insert: "prescribed burns in the Granite watershed"

On motion of Mr. HANSEN, said Senate amendment was agreed to.

A motion to reconsider the vote whereby said Senate amendment were agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶107.38 LAND AND WATER CONSERVATION FUND

On motion of Mr. HANSEN, by unanimous consent, the Committee on Resources was discharged from further consideration of the bill of the Senate (S. 1333) to amend the Land and Water Conservation Fund Act of 1965 to allow national park units that cannot charge an entrance or admission fee to retain other fees and charges.

When said bill was considered, read twice, ordered to be read a third time, was read a third time by title, and passed.

A motion to reconsider the vote whereby the bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶107.39 FREDERICK LAW OLMSTED NATIONAL HISTORIC SITE

On motion of Mr. HANSEN, by unanimous consent, the Committee on Resources was discharged from further consideration of the bill of the Senate (S. 2246) to amend the Act which established the Frederick Law Olmsted National Historic Site, in the Commonwealth of Massachusetts, by modifying the boundary and for other purposes.

When said bill was considered, read twice, ordered to be read a third time, was read a third time by title, and passed.

A motion to reconsider the vote whereby the bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶107.40 ADAMS NATIONAL HISTORICAL PARK

On motion of Mr. HANSEN, by unanimous consent, the Committee on Resources was discharged from further consideration of the bill of the Senate (S. 2240) to establish the Adams National Historical Park in the Commonwealth of Massachusetts, and for other purposes.

When said bill was considered, read twice, ordered to be read a third time, was read a third time by title, and passed.

A motion to reconsider the vote whereby the bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶107.41 FURTHER MESSAGE FROM THE SENATE

A further message from the Senate by Mr. Lundregan, one of its clerks, announced that the Senate had passed with an amendment in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 1274. An Act to authorize appropriations for the National Institute of Standards and Technology for fiscal years 1998 and 1999, and for other purposes.

The message also announced that in accordance with sections 1928a-1928d, of title 22, United States Code, as amended, the Chair, on behalf of the Vice

President, appoints the following Senators as members of the Senate Delegation to the North Atlantic Assembly during the Second Session of the One Hundred Fifth Congress, to be held in Edinburg, United Kingdom, November 9-14, 1998—the Senator from Utah (Mr. HATCH); the Senator from Virginia (Mr. WARNER); the Senator from Iowa (Mr. GRASSLEY); the Senator from Pennsylvania (Mr. SPECTER); the Senator from Arkansas (Mr. HUTCHINSON); the Senator from Alabama (Mr. SESSIONS); the Senator from Oregon (Mr. SMITH); the Senator from Tennessee (Mr. THOMPSON); the Senator from Arkansas (Mr. BUMPERS); the Senator from Maryland (Ms. MIKULSKI); and the Senator from Hawaii (Mr. AKAKA).

The message also announced that the Senate had passed a bill of the following title in which concurrence of the House is requested:

S. 391. An Act to provide for the disposition of certain funds appropriated to pay judgment in favor of the Mississippi Sioux Indians, and for other purposes.

¶107.42 150TH ANNIVERSARY—SENECA FALLS CONVENTION

On motion of Mr. HANSEN, by unanimous consent, the Committee on Resources was discharged from further consideration of the bill of the Senate (S. 2285) to establish a commission, in honor of the 150th Anniversary of the Seneca Falls Convention, to further protect sites of importance in the historic efforts to secure equal rights for women.

When said bill was considered, read twice, ordered to be read a third time, was read a third time by title, and passed.

A motion to reconsider the vote whereby the bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶107.43 BLACK PATRIOTS FOUNDATION

On motion of Mr. HANSEN, by unanimous consent, the Committee on Resources was discharged from further consideration of the bill of the Senate (S. 2427) to amend the Omnibus Parks and Public Lands Management Act of 1996 to extend the legislative authority for the Black Patriots Foundation to establish a commemorative work.

When said bill was considered, read twice, ordered to be read a third time, was read a third time by title, and passed.

A motion to reconsider the vote whereby the bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶107.44 OMNIBUS PARKS AND PUBLIC LANDS MANAGEMENT TECHNICAL CORRECTIONS

On motion of Mr. HANSEN, by unanimous consent, the Committee on Resources was discharged from further consideration of the bill (H.R. 4735) to make technical corrections to the Omnibus Parks and Public Lands Management Act of 1996.

When said bill was considered, read twice, ordered to be engrossed and read a third time, was read a third time by title, and passed.

The bill was ordered to be engrossed and read a third time, was read a third time by title, and passed.

A motion to reconsider the vote whereby the bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶107.45 DANTE FASCELL VISITOR CENTER

On motion of Mr. HANSEN, by unanimous consent, the Committee on Resources was discharged from further consideration of the bill of the Senate (S. 2468) to designate the Biscayne National Park Visitor Center as the Dante Fascell Visitor Center.

When said bill was considered, read twice, ordered to be read a third time, was read a third time by title, and passed.

A motion to reconsider the vote whereby the bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶107.46 SIERRA LEONE HUMAN RIGHTS ABUSES

Mr. GILMAN moved to suspend the rules and agree to the following resolution (H. Res. 559):

Whereas the ousted Armed Forces Revolutionary Council (AFRC) military junta and the rebel fighters of the Revolutionary United Front (RUF) have mounted a campaign of terror, vengeance, and human rights abuses on the civilian population of Sierra Leone;

Whereas the AFRC/RUF violence against civilians continues with at least 1,200 persons having hands or feet amputated by rebels (and the International Committee of the Red Cross (ICRC) estimates that every victim who makes it to medical help is only 1 of 4 who have been mutilated);

Whereas the AFRC/RUF continues to abduct children and forcibly train them as combatants, in numbers estimated by UNICEF to exceed 3,000 since March 1998;

Whereas the humanitarian consequences of this campaign have been the flight of more than 250,000 refugees to Guinea and Liberia in the last 6 months and the increase of internally displaced Sierra Leoneans to over 250,000 in camps and towns in the north and east;

Whereas the governments of Guinea and Liberia are having great difficulty caring for the huge number of refugees, now totaling 600,000 in Guinea and Liberia, and emergency appeals have been issued by the United Nations High Commission for Refugees (UNHCR) for \$7,300,000 for emergency food, shelter, sanitation, medical, educational, psychological, and social services;

Whereas starvation and hunger-related deaths have begun in the north with more than 500 people dying since August 1, 1998, a situation that will only get worse in the next months;

Whereas the humanitarian community is unable, because of continuing security concerns, to deliver food and medicine to the vulnerable groups within the north and east of Sierra Leone;

Whereas the Economic Community of West African States (ECOWAS) and its military peacekeeping arm called ECOMOG are doing their best, but require additional logistic

support to either bring this AFRC/RUF rebel war to a conclusion or force a negotiated settlement;

Whereas arms and weapons continue to be supplied to the AFRC/RUF in direct violation of a United Nations arms embargo;

Whereas United Nations Under Secretary for Humanitarian Affairs and Emergency Relief Coordinator Sergio Viera de Melo, Amnesty International, Human Rights Watch, and Refugees International, following May through June 1998 visits to Sierra Leone, have condemned, in the strongest terms, the terrible human rights violations done by the AFRC/RUF rebels to civilians; and

Whereas the Special Representative of the United Nations Secretary General for Children and Armed Conflict, Olara Otunnu, following a May 1998 visit to Sierra Leone, called upon the United Nations to make Sierra Leone one of the pilot projects in the rehabilitation of child combatants: Now, therefore, be it

Resolved, That the House of Representatives—

(1) urges the President and the Secretary of State to give high priority to solving the conflict in Sierra Leone and to bring stability to West Africa in general;

(2) urges the State Department to give the needed logistical support to ECOMOG and the Government of Sierra Leone to bring this conflict to a rapid conclusion;

(3) condemns the use of children as combatants in the conflict in Sierra Leone;

(4) urges the establishment of a secure humanitarian corridor to strategic areas in the north and east of Sierra Leone for the safe delivery of food and medicines by the Government of Sierra Leone and humanitarian agencies already in the country mandated to deliver this aid;

(5) urges the President and the Secretary of State to strictly enforce the United Nations arms embargo on the Armed Forces Revolutionary Council and Revolutionary United Front (AFRC/RUF) rebel forces;

(6) urges the President and the Secretary of State to work with the Economic Community of West African States (ECOWAS) nations to ensure there are sufficient African forces and arms provided to its military peacekeeping arm ECOMOG;

(7) urges the President and the Secretary of State to support the United Nations High Commission for Refugees (UNHCR) appeal for aid to the Sierra Leonean refugees in Guinea, Liberia, and other countries;

(8) urges the President and the State Department to support the United Nations agencies and nongovernmental organizations working in Sierra Leone to bring humanitarian relief and peace to the country;

(9) urges the President and the State Department to support the Government of Sierra Leone in its demobilization, disarmament, and reconstruction plan for the country as peace becomes a reality; and

(10) encourages and supports, Olara Otunnu, United Nations Special Representative of the Secretary General for Children and Armed Conflict, to continue in his efforts to work in Sierra Leone in the establishment of programs designed to rehabilitate child combatants.

The SPEAKER pro tempore, Mr. LAHOOD, recognized Mr. GILMAN and Mr. CLEMENT, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and agree to said resolution, as amended?

The SPEAKER pro tempore, Mr. LAHOOD, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said resolution was agreed to.

A motion to reconsider the vote whereby the rules were suspended and said resolution was agreed to was, by unanimous consent, laid on the table.

¶107.47 RELIGIOUS PERSECUTION MONITORING

Mr. GILMAN moved to suspend the rules and agree to the following amendments of the Senate to the bill (H.R. 2431) to establish an Office of Religious Persecution Monitoring, to provide for the imposition of sanctions against countries engaged in a pattern of religious persecution, and for other purposes;

Strike out all after the enacting clause and insert:

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) *SHORT TITLE.*—This Act may be cited as the “International Religious Freedom Act of 1998”.

(b) *TABLE OF CONTENTS.*—The table of contents for this Act is as follows:

- Sec. 1. Short title; table of contents.
- Sec. 2. Findings; policy.
- Sec. 3. Definitions.

TITLE I—DEPARTMENT OF STATE ACTIVITIES

- Sec. 101. Office on International Religious Freedom; Ambassador at Large for International Religious Freedom.
- Sec. 102. Reports.
- Sec. 103. Establishment of a religious freedom Internet site.
- Sec. 104. Training for Foreign Service officers.
- Sec. 105. High-level contacts with nongovernmental organizations.
- Sec. 106. Programs and allocations of funds by United States missions abroad.
- Sec. 107. Equal access to United States missions abroad for conducting religious activities.
- Sec. 108. Prisoner lists and issue briefs on religious freedom concerns.

TITLE II—COMMISSION ON INTERNATIONAL RELIGIOUS FREEDOM

- Sec. 201. Establishment and composition.
- Sec. 202. Duties of the Commission.
- Sec. 203. Report of the Commission.
- Sec. 204. Applicability of other laws.
- Sec. 205. Authorization of appropriations.
- Sec. 206. Termination.

TITLE III—NATIONAL SECURITY COUNCIL

- Sec. 301. Special Adviser on International Religious Freedom.

TITLE IV—PRESIDENTIAL ACTIONS

Subtitle I—Targeted Responses to Violations of Religious Freedom Abroad

- Sec. 401. Presidential actions in response to violations of religious freedom.
- Sec. 402. Presidential actions in response to particularly severe violations of religious freedom.
- Sec. 403. Consultations.
- Sec. 404. Report to Congress.
- Sec. 405. Description of Presidential actions.
- Sec. 406. Effects on existing contracts.
- Sec. 407. Presidential waiver.
- Sec. 408. Publication in Federal Register.
- Sec. 409. Termination of Presidential actions.
- Sec. 410. Preclusion of judicial review.

Subtitle II—Strengthening Existing Law

- Sec. 421. United States assistance.
- Sec. 422. Multilateral assistance.
- Sec. 423. Exports of certain items used in particularly severe violations of religious freedom.

TITLE V—PROMOTION OF RELIGIOUS FREEDOM

- Sec. 501. Assistance for promoting religious freedom.
- Sec. 502. International broadcasting.
- Sec. 503. International exchanges.
- Sec. 504. Foreign Service awards.

TITLE VI—REFUGEE, ASYLUM, AND CONSULAR MATTERS

- Sec. 601. Use of Annual Report.
- Sec. 602. Reform of refugee policy.
- Sec. 603. Reform of asylum policy.
- Sec. 604. Inadmissibility of foreign government officials who have engaged in particularly severe violations of religious freedom.
- Sec. 605. Studies on the effect of expedited removal provisions on asylum claims.

TITLE VII—MISCELLANEOUS PROVISIONS

- Sec. 701. Business codes of conduct.

SEC. 2. FINDINGS; POLICY.

(a) *FINDINGS.*—Congress makes the following findings:

(1) The right to freedom of religion undergirds the very origin and existence of the United States. Many of our Nation’s founders fled religious persecution abroad, cherishing in their hearts and minds the ideal of religious freedom. They established in law, as a fundamental right and as a pillar of our Nation, the right to freedom of religion. From its birth to this day, the United States has prized this legacy of religious freedom and honored this heritage by standing for religious freedom and offering refuge to those suffering religious persecution.

(2) Freedom of religious belief and practice is a universal human right and fundamental freedom articulated in numerous international instruments, including the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights, the Helsinki Accords, the Declaration on the Elimination of All Forms of Intolerance and Discrimination Based on Religion or Belief, the United Nations Charter, and the European Convention for the Protection of Human Rights and Fundamental Freedoms.

(3) Article 18 of the Universal Declaration of Human Rights recognizes that “Everyone has the right to freedom of thought, conscience, and religion. This right includes freedom to change his religion or belief, and freedom, either alone or in community with others and in public or private, to manifest his religion or belief in teaching, practice, worship, and observance.”. Article 18(1) of the International Covenant on Civil and Political Rights recognizes that “Everyone shall have the right to freedom of thought, conscience, and religion. This right shall include freedom to have or to adopt a religion or belief of his choice, and freedom, either individually or in community with others and in public or private, to manifest his religion or belief in worship, observance, practice, and teaching”. Governments have the responsibility to protect the fundamental rights of their citizens and to pursue justice for all. Religious freedom is a fundamental right of every individual, regardless of race, sex, country, creed, or nationality, and should never be arbitrarily abridged by any government.

(4) The right to freedom of religion is under renewed and, in some cases, increasing assault in many countries around the world. More than one-half of the world’s population lives under regimes that severely restrict or prohibit the freedom of their citizens to study, believe, observe, and freely practice the religious faith of their choice. Religious believers and communities suffer both government-sponsored and government-tolerated violations of their rights to religious freedom. Among the many forms of such violations are state-sponsored slander campaigns, confiscations of property, surveillance by security police, including by special divisions of “religious police”, severe prohibitions against

construction and repair of places of worship, denial of the right to assemble and relegation of religious communities to illegal status through arbitrary registration laws, prohibitions against the pursuit of education or public office, and prohibitions against publishing, distributing, or possessing religious literature and materials.

(5) Even more abhorrent, religious believers in many countries face such severe and violent forms of religious persecution as detention, torture, beatings, forced marriage, rape, imprisonment, enslavement, mass resettlement, and death merely for the peaceful belief in, change of or practice of their faith. In many countries, religious believers are forced to meet secretly, and religious leaders are targeted by national security forces and hostile mobs.

(6) Though not confined to a particular region or regime, religious persecution is often particularly widespread, systematic, and heinous under totalitarian governments and in countries with militant, politicized religious majorities.

(7) Congress has recognized and denounced acts of religious persecution through the adoption of the following resolutions:

(A) House Resolution 515 of the One Hundred Fourth Congress, expressing the sense of the House of Representatives with respect to the persecution of Christians worldwide.

(B) Senate Concurrent Resolution 71 of the One Hundred Fourth Congress, expressing the sense of the Senate regarding persecution of Christians worldwide.

(C) House Concurrent Resolution 102 of the One Hundred Fourth Congress, expressing the sense of the House of Representatives concerning the emancipation of the Iranian Baha’i community.

(b) *POLICY.*—It shall be the policy of the United States, as follows:

(1) To condemn violations of religious freedom, and to promote, and to assist other governments in the promotion of, the fundamental right to freedom of religion.

(2) To seek to channel United States security and development assistance to governments other than those found to be engaged in gross violations of the right to freedom of religion, as set forth in the Foreign Assistance Act of 1961, in the International Financial Institutions Act of 1977, and in other formulations of United States human rights policy.

(3) To be vigorous and flexible, reflecting both the unwavering commitment of the United States to religious freedom and the desire of the United States for the most effective and principled response, in light of the range of violations of religious freedom by a variety of persecuting regimes, and the status of the relations of the United States with different nations.

(4) To work with foreign governments that affirm and protect religious freedom, in order to develop multilateral documents and initiatives to combat violations of religious freedom and promote the right to religious freedom abroad.

(5) Standing for liberty and standing with the persecuted, to use and implement appropriate tools in the United States foreign policy apparatus, including diplomatic, political, commercial, charitable, educational, and cultural channels, to promote respect for religious freedom by all governments and peoples.

SEC. 3. DEFINITIONS.

In this Act:

(1) *AMBASSADOR AT LARGE.*—The term “Ambassador at Large” means the Ambassador at Large for International Religious Freedom appointed under section 101(b).

(2) *ANNUAL REPORT.*—The term “Annual Report” means the Annual Report on International Religious Freedom described in section 102(b).

(3) *APPROPRIATE CONGRESSIONAL COMMITTEES.*—The term “appropriate congressional committees” means—

(A) the Committee on Foreign Relations of the Senate and the Committee on International Relations of the House of Representatives; and

(B) in the case of any determination made with respect to the taking of President action under paragraphs (9) through (15) of section 405(a), the term includes the committees described in subparagraph (A) and, where appropriate, the Committee on Banking and Financial Services of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs of the Senate.

(4) **COMMENSURATE ACTION.**—The term “commensurate action” means action taken by the President under section 405(b).

(5) **COMMISSION.**—The term “Commission” means the United States Commission on International Religious Freedom established in section 201(a).

(6) **COUNTRY REPORTS ON HUMAN RIGHTS PRACTICES.**—The term “Country Reports on Human Rights Practices” means the annual reports required to be submitted by the Department of State to Congress under sections 116(d) and 502B(b) of the Foreign Assistance Act of 1961.

(7) **EXECUTIVE SUMMARY.**—The term “Executive Summary” means the Executive Summary to the Annual Report, as described in section 102(b)(1)(F).

(8) **GOVERNMENT OR FOREIGN GOVERNMENT.**—The term “government” or “foreign government” includes any agency or instrumentality of the government.

(9) **HUMAN RIGHTS REPORTS.**—The term “Human Rights Reports” means all reports submitted by the Department of State to Congress under sections 116 and 502B of the Foreign Assistance Act of 1961.

(10) **OFFICE.**—The term “Office” means the Office on International Religious Freedom established in section 101(a).

(11) **PARTICULARLY SEVERE VIOLATIONS OF RELIGIOUS FREEDOM.**—The term “particularly severe violations of religious freedom” means systematic, ongoing, egregious violations of religious freedom, including violations such as—

(A) torture or cruel, inhuman, or degrading treatment or punishment;

(B) prolonged detention without charges;

(C) causing the disappearance of persons by the abduction or clandestine detention of those persons; or

(D) other flagrant denial of the right to life, liberty, or the security of persons.

(12) **SPECIAL ADVISER.**—The term “Special Adviser” means the Special Adviser to the President on International Religious Freedom described in section 101(i) of the National Security Act of 1947, as added by section 301 of this Act.

(13) **VIOLATIONS OF RELIGIOUS FREEDOM.**—The term “violations of religious freedom” means violations of the internationally recognized right to freedom of religion and religious belief and practice, as set forth in the international instruments referred to in section 2(a)(2) and as described in section 2(a)(3), including violations such as—

(A) arbitrary prohibitions on, restrictions of, or punishment for—

(i) assembling for peaceful religious activities such as worship, preaching, and prayer, including arbitrary registration requirements,

(ii) speaking freely about one's religious beliefs,

(iii) changing one's religious beliefs and affiliation,

(iv) possession and distribution of religious literature, including Bibles, or

(v) raising one's children in the religious teachings and practices of one's choice, or

(B) any of the following acts if committed on account of an individual's religious belief or practice: detention, interrogation, imposition of an onerous financial penalty, forced labor, forced mass resettlement, imprisonment, forced religious conversion, beating, torture, mutilation, rape, enslavement, murder, and execution.

TITLE I—DEPARTMENT OF STATE ACTIVITIES

SEC. 101. OFFICE ON INTERNATIONAL RELIGIOUS FREEDOM; AMBASSADOR AT LARGE FOR INTERNATIONAL RELIGIOUS FREEDOM.

(a) **ESTABLISHMENT OF OFFICE.**—There is established within the Department of State an Office on International Religious Freedom that shall be headed by the Ambassador at Large for International Religious Freedom appointed under subsection (b).

(b) **APPOINTMENT.**—The Ambassador at Large shall be appointed by the President, by and with the advice and consent of the Senate.

(c) **DUTIES.**—The Ambassador at Large shall have the following responsibilities:

(1) **IN GENERAL.**—The primary responsibility of the Ambassador at Large shall be to advance the right to freedom of religion abroad, to denounce the violation of that right, and to recommend appropriate responses by the United States Government when this right is violated.

(2) **ADVISORY ROLE.**—The Ambassador at Large shall be a principal adviser to the President and the Secretary of State regarding matters affecting religious freedom abroad and, with advice from the Commission on International Religious Freedom, shall make recommendations regarding—

(A) the policies of the United States Government toward governments that violate the freedom of religion or that fail to ensure the individual's right to religious belief and practice; and

(B) policies to advance the right to religious freedom abroad.

(3) **DIPLOMATIC REPRESENTATION.**—Subject to the direction of the President and the Secretary of State, the Ambassador at Large is authorized to represent the United States in matters and cases relevant to religious freedom abroad in—

(A) contacts with foreign governments, intergovernmental organizations, and specialized agencies of the United Nations, the Organization on Security and Cooperation in Europe, and other international organizations of which the United States is a member; and

(B) multilateral conferences and meetings relevant to religious freedom abroad.

(4) **REPORTING RESPONSIBILITIES.**—The Ambassador at Large shall have the reporting responsibilities described in section 102.

(d) **FUNDING.**—The Secretary of State shall provide the Ambassador at Large with such funds as may be necessary for the hiring of staff for the Office, for the conduct of investigations by the Office, and for necessary travel to carry out the provisions of this section.

SEC. 102. REPORTS.

(a) **PORTIONS OF ANNUAL HUMAN RIGHTS REPORTS.**—The Ambassador at Large shall assist the Secretary of State in preparing those portions of the Human Rights Reports that relate to freedom of religion and freedom from discrimination based on religion and those portions of other information provided Congress under sections 116 and 502B of the Foreign Assistance Act of 1961 (22 U.S.C. 2151m, 2304) that relate to the right to freedom of religion.

(b) **ANNUAL REPORT ON INTERNATIONAL RELIGIOUS FREEDOM.**—

(1) **DEADLINE FOR SUBMISSION.**—On September 1 of each year or the first day thereafter on which the appropriate House of Congress is in session, the Secretary of State, with the assistance of the Ambassador at Large, and taking into consideration the recommendations of the Commission, shall prepare and transmit to Congress an Annual Report on International Religious Freedom supplementing the most recent Human Rights Reports by providing additional detailed information with respect to matters involving international religious freedom. Each Annual Report shall contain the following:

(A) **STATUS OF RELIGIOUS FREEDOM.**—A description of the status of religious freedom in each foreign country, including—

(i) trends toward improvement in the respect and protection of the right to religious freedom and trends toward deterioration of such right;

(ii) violations of religious freedom engaged in or tolerated by the government of that country; and

(iii) particularly severe violations of religious freedom engaged in or tolerated by the government of that country.

(B) **VIOLATIONS OF RELIGIOUS FREEDOM.**—An assessment and description of the nature and extent of violations of religious freedom in each foreign country, including persecution of one religious group by another religious group, religious persecution by governmental and non-governmental entities, persecution targeted at individuals or particular denominations or entire religions, the existence of government policies violating religious freedom, and the existence of government policies concerning—

(i) limitations or prohibitions on, or lack of availability of, openly conducted, organized religious services outside of the premises of foreign diplomatic missions or consular posts; and

(ii) the forced religious conversion of minor United States citizens who have been abducted or illegally removed from the United States, and the refusal to allow such citizens to be returned to the United States.

(C) **UNITED STATES POLICIES.**—A description of United States actions and policies in support of religious freedom in each foreign country engaging in or tolerating violations of religious freedom, including a description of the measures and policies implemented during the preceding 12 months by the United States under titles I, IV, and V of this Act in opposition to violations of religious freedom and in support of international religious freedom.

(D) **INTERNATIONAL AGREEMENTS IN EFFECT.**—A description of any binding agreement with a foreign government entered into by the United States under section 401(b) or 402(c).

(E) **TRAINING AND GUIDELINES OF GOVERNMENT PERSONNEL.**—A description of—

(i) the training described in section 602 (a) and (b) and section 603 (b) and (c) on violations of religious freedom provided to immigration judges and consular, refugee, immigration, and asylum officers; and

(ii) the development and implementation of the guidelines described in sections 602(c) and 603(a).

(F) **EXECUTIVE SUMMARY.**—An Executive Summary to the Annual Report highlighting the status of religious freedom in certain foreign countries and including the following:

(i) **COUNTRIES IN WHICH THE UNITED STATES IS ACTIVELY PROMOTING RELIGIOUS FREEDOM.**—An identification of foreign countries in which the United States is actively promoting religious freedom. This section of the report shall include a description of United States actions taken to promote the internationally recognized right to freedom of religion and oppose violations of such right under title IV and title V of this Act during the period covered by the Annual Report. Any country designated as a country of particular concern for religious freedom under section 402(b)(1) shall be included in this section of the report.

(ii) **COUNTRIES OF SIGNIFICANT IMPROVEMENT IN RELIGIOUS FREEDOM.**—An identification of foreign countries the governments of which have demonstrated significant improvement in the protection and promotion of the internationally recognized right to freedom of religion during the period covered by the Annual Report. This section of the report shall include a description of the nature of the improvement and an analysis of the factors contributing to such improvement, including actions taken by the United States under this Act.

(2) **CLASSIFIED ADDENDUM.**—If the Secretary of State determines that it is in the national security interests of the United States or is necessary for the safety of individuals to be identified in the Annual Report or is necessary to further the purposes of this Act, any information

required by paragraph (1), including measures or actions taken by the United States, may be summarized in the Annual Report or the Executive Summary and submitted in more detail in a classified addendum to the Annual Report or the Executive Summary.

(c) PREPARATION OF REPORTS REGARDING VIOLATIONS OF RELIGIOUS FREEDOM.—

(1) STANDARDS AND INVESTIGATIONS.—The Secretary of State shall ensure that United States missions abroad maintain a consistent reporting standard and thoroughly investigate reports of violations of the internationally recognized right to freedom of religion.

(2) CONTACTS WITH NONGOVERNMENTAL ORGANIZATIONS.—In compiling data and assessing the respect of the right to religious freedom for the Human Rights Reports, the Annual Report on International Religious Freedom, and the Executive Summary, United States mission personnel shall, as appropriate, seek out and maintain contacts with religious and human rights nongovernmental organizations, with the consent of those organizations, including receiving reports and updates from such organizations and, when appropriate, investigating such reports.

(d) AMENDMENTS TO THE FOREIGN ASSISTANCE ACT.—

(1) CONTENT OF HUMAN RIGHTS REPORTS FOR COUNTRIES RECEIVING ECONOMIC ASSISTANCE.—Section 116(d) of the Foreign Assistance Act of 1961 (22 U.S.C. 2151n(d)) is amended—

(A) by striking “and” at the end of paragraph (4);

(B) by striking the period at the end of paragraph (5) and inserting “; and”; and

(C) by adding at the end the following:

“(6) wherever applicable, violations of religious freedom, including particularly severe violations of religious freedom (as defined in section 3 of the International Religious Freedom Act of 1998).”.

(2) CONTENTS OF HUMAN RIGHTS REPORTS FOR COUNTRIES RECEIVING SECURITY ASSISTANCE.—Section 502B(b) of the Foreign Assistance Act of 1961 (22 U.S.C. 2304(b)) is amended—

(A) by inserting “and with the assistance of the Ambassador at Large for International Religious Freedom” after “Labor”; and

(B) by inserting after the second sentence the following new sentence: “Such report shall also include, wherever applicable, information on violations of religious freedom, including particularly severe violations of religious freedom (as defined in section 3 of the International Religious Freedom Act of 1998).”.

SEC. 103. ESTABLISHMENT OF A RELIGIOUS FREEDOM INTERNET SITE.

In order to facilitate access by nongovernmental organizations (NGOs) and by the public around the world to international documents on the protection of religious freedom, the Secretary of State, with the assistance of the Ambassador at Large, shall establish and maintain an Internet site containing major international documents relating to religious freedom, the Annual Report, the Executive Summary, and any other documentation or references to other sites as deemed appropriate or relevant by the Ambassador at Large.

SEC. 104. TRAINING FOR FOREIGN SERVICE OFFICERS.

Chapter 2 of title I of the Foreign Service Act of 1980 is amended by adding at the end the following new section:

“**SEC. 708. TRAINING FOR FOREIGN SERVICE OFFICERS.**

“The Secretary of State, with the assistance of other relevant officials, such as the Ambassador at Large for International Religious Freedom appointed under section 101(b) of the International Religious Freedom Act of 1998 and the director of the National Foreign Affairs Training Center, shall establish as part of the standard training provided after January 1, 1999, for officers of the Service, including chiefs of mission, instruction in the field of internationally recognized human rights. Such training shall include—

“(1) instruction on international documents and United States policy in human rights, which shall be mandatory for all members of the Service having reporting responsibilities relating to human rights and for chiefs of mission; and

“(2) instruction on the internationally recognized right to freedom of religion, the nature, activities, and beliefs of different religions, and the various aspects and manifestations of violations of religious freedom.”.

SEC. 105. HIGH-LEVEL CONTACTS WITH NONGOVERNMENTAL ORGANIZATIONS.

United States chiefs of mission shall seek out and contact religious nongovernmental organizations to provide high-level meetings with religious nongovernmental organizations where appropriate and beneficial. United States chiefs of mission and Foreign Service officers abroad shall seek to meet with imprisoned religious leaders where appropriate and beneficial.

SEC. 106. PROGRAMS AND ALLOCATIONS OF FUNDS BY UNITED STATES MISSIONS ABROAD.

It is the sense of Congress that—

(1) United States diplomatic missions in countries the governments of which engage in or tolerate violations of the internationally recognized right to freedom of religion should develop, as part of annual program planning, a strategy to promote respect for the internationally recognized right to freedom of religion; and

(2) in allocating or recommending the allocation of funds or the recommendation of candidates for programs and grants funded by the United States Government, United States diplomatic missions should give particular consideration to those programs and candidates deemed to assist in the promotion of the right to religious freedom.

SEC. 107. EQUAL ACCESS TO UNITED STATES MISSIONS ABROAD FOR CONDUCTING RELIGIOUS ACTIVITIES.

(a) IN GENERAL.—Subject to this section, the Secretary of State shall permit, on terms no less favorable than that accorded other nongovernmental activities unrelated to the conduct of the diplomatic mission, access to the premises of any United States diplomatic mission or consular post by any United States citizen seeking to conduct an activity for religious purposes.

(b) TIMING AND LOCATION.—The Secretary of State shall make reasonable accommodations with respect to the timing and location of such access in light of—

(1) the number of United States citizens requesting the access (including any particular religious concerns regarding the time of day, date, or physical setting for services);

(2) conflicts with official activities and other nonofficial United States citizen requests;

(3) the availability of openly conducted, organized religious services outside the premises of the mission or post;

(4) availability of space and resources; and

(5) necessary security precautions.

(c) DISCRETIONARY ACCESS FOR FOREIGN NATIONALS.—The Secretary of State may permit access to the premises of a United States diplomatic mission or consular post to foreign nationals for the purpose of attending or participating in religious activities conducted pursuant to this section.

SEC. 108. PRISONER LISTS AND ISSUE BRIEFS ON RELIGIOUS FREEDOM CONCERNS.

(a) SENSE OF CONGRESS.—To encourage involvement with religious freedom concerns at every possible opportunity and by all appropriate representatives of the United States Government, it is the sense of Congress that officials of the executive branch of Government should promote increased advocacy on such issues during meetings between foreign dignitaries and executive branch officials or Members of Congress.

(b) PRISONER LISTS AND ISSUE BRIEFS ON RELIGIOUS FREEDOM CONCERNS.—The Secretary of State, in consultation with the Ambassador at Large, the Assistant Secretary of State for Democracy, Human Rights and Labor, United

States chiefs of mission abroad, regional experts, and nongovernmental human rights and religious groups, shall prepare and maintain issue briefs on religious freedom, on a country-by-country basis, consisting of lists of persons believed to be imprisoned, detained, or placed under house arrest for their religious faith, together with brief evaluations and critiques of the policies of the respective country restricting religious freedom. In considering the inclusion of names of prisoners on such lists, the Secretary of State shall exercise appropriate discretion, including concerns regarding the safety, security, and benefit to such prisoners.

(c) AVAILABILITY OF INFORMATION.—The Secretary shall, as appropriate, provide religious freedom issue briefs under subsection (b) to executive branch officials and Members of Congress in anticipation of bilateral contacts with foreign leaders, both in the United States and abroad.

TITLE II—COMMISSION ON INTERNATIONAL RELIGIOUS FREEDOM

SEC. 201. ESTABLISHMENT AND COMPOSITION.

(a) GENERALLY.—There is established the United States Commission on International Religious Freedom.

(b) MEMBERSHIP.—

(1) APPOINTMENT.—The Commission shall be composed of—

(A) the Ambassador at Large, who shall serve ex officio as a nonvoting member of the Commission; and

(B) 9 other members, who shall be United States citizens who are not being paid as officers or employees of the United States, and who shall be appointed as follows:

(i) 3 members of the Commission shall be appointed by the President.

(ii) 3 members of the Commission shall be appointed by the President pro tempore of the Senate, of which 2 of the members shall be appointed upon the recommendation of the leader in the Senate of the political party that is not the political party of the President, and of which 1 of the members shall be appointed upon the recommendation of the leader in the Senate of the other political party.

(iii) 3 members of the Commission shall be appointed by the Speaker of the House of Representatives, of which 2 of the members shall be appointed upon the recommendation of the leader in the House of the political party that is not the political party of the President, and of which 1 of the members shall be appointed upon the recommendation of the leader in the House of the other political party.

(2) SELECTION.—

(A) IN GENERAL.—Members of the Commission shall be selected among distinguished individuals noted for their knowledge and experience in fields relevant to the issue of international religious freedom, including foreign affairs, direct experience abroad, human rights, and international law.

(B) SECURITY CLEARANCES.—Each Member of the Commission shall be required to obtain a security clearance.

(3) TIME OF APPOINTMENT.—The appointments required by paragraph (1) shall be made not later than 120 days after the date of enactment of this Act.

(c) TERMS.—The term of office of each member of the Commission shall be 2 years. Members of the Commission shall be eligible for reappointment to a second term.

(d) ELECTION OF CHAIR.—At the first meeting of the Commission in each calendar year, a majority of the members of the Commission present and voting shall elect the Chair of the Commission.

(e) QUORUM.—Six voting members of the Commission shall constitute a quorum for purposes of transacting business.

(f) MEETINGS.—Each year, within 15 days, or as soon as practicable, after the issuance of the Country Report on Human Rights Practices, the Commission shall convene. The Commission shall otherwise meet at the call of the Chair or,

if no Chair has been elected for that calendar year, at the call of six voting members of the Commission.

(g) **VACANCIES.**—Any vacancy of the Commission shall not affect its powers, but shall be filled in the manner in which the original appointment was made.

(h) **ADMINISTRATIVE SUPPORT.**—The Secretary of State shall assist the Commission by providing to the Commission such staff and administrative services of the Office as may be necessary and appropriate for the Commission to perform its functions. Any employee of the executive branch of Government may be detailed to the Commission without reimbursement to the agency of that employee and such detail shall be without interruption or loss of civil service status or privilege.

(i) **FUNDING.**—Members of the Commission shall be allowed travel expenses, including per diem in lieu of subsistence at rates authorized for employees of agencies under subchapter I of chapter 57 of title 5, United States Code, while away from their homes or regular places of business in the performance of services for the Commission.

SEC. 202. DUTIES OF THE COMMISSION.

(a) **IN GENERAL.**—The Commission shall have as its primary responsibility—

(1) the annual and ongoing review of the facts and circumstances of violations of religious freedom presented in the Country Reports on Human Rights Practices, the Annual Report, and the Executive Summary, as well as information from other sources as appropriate; and

(2) the making of policy recommendations to the President, the Secretary of State, and Congress with respect to matters involving international religious freedom.

(b) **POLICY REVIEW AND RECOMMENDATIONS IN RESPONSE TO VIOLATIONS.**—The Commission, in evaluating United States Government policies in response to violations of religious freedom, shall consider and recommend options for policies of the United States Government with respect to each foreign country the government of which has engaged in or tolerated violations of religious freedom, including particularly severe violations of religious freedom, including diplomatic inquiries, diplomatic protest, official public protest demarche of protest, condemnation within multilateral fora, delay or cancellation of cultural or scientific exchanges, delay or cancellation of working, official, or state visits, reduction of certain assistance funds, termination of certain assistance funds, imposition of targeted trade sanctions, imposition of broad trade sanctions, and withdrawal of the chief of mission.

(c) **POLICY REVIEW AND RECOMMENDATIONS IN RESPONSE TO PROGRESS.**—The Commission, in evaluating the United States Government policies with respect to countries found to be taking deliberate steps and making significant improvement in respect for the right of religious freedom, shall consider and recommend policy options, including private commendation, diplomatic commendation, official public commendation, commendation within multilateral fora, an increase in cultural or scientific exchanges, or both, termination or reduction of existing Presidential actions, an increase in certain assistance funds, and invitations for working, official, or state visits.

(d) **EFFECTS ON RELIGIOUS COMMUNITIES AND INDIVIDUALS.**—Together with specific policy recommendations provided under subsections (b) and (c), the Commission shall also indicate its evaluation of the potential effects of such policies, if implemented, on the religious communities and individuals whose rights are found to be violated in the country in question.

(e) **MONITORING.**—The Commission shall, on an ongoing basis, monitor facts and circumstances of violations of religious freedom, in consultation with independent human rights groups and nongovernmental organizations, including churches and other religious commu-

nities, and make such recommendations as may be necessary to the appropriate officials and offices in the United States Government.

(f) **HEARINGS AND SESSIONS.**—The Commission may, for the purpose of carrying out its duties under this title, hold hearings, sit and act at times and places in the United States, take testimony, and receive evidence as the Commission considers advisable to carry out the purposes of this Act.

SEC. 203. REPORT OF THE COMMISSION.

(a) **IN GENERAL.**—Not later than May 1 of each year, the Commission shall submit a report to the President, the Secretary of State, and Congress setting forth its recommendations for United States policy options based on its evaluations under section 202.

(b) **CLASSIFIED FORM OF REPORT.**—The report may be submitted in classified form, together with a public summary of recommendations, if the classification of information would further the purposes of this Act.

(c) **INDIVIDUAL OR DISSENTING VIEWS.**—Each member of the Commission may include the individual or dissenting views of the member.

SEC. 204. APPLICABILITY OF OTHER LAWS.

The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the Commission.

SEC. 205. AUTHORIZATION OF APPROPRIATIONS.

(a) **IN GENERAL.**—There are authorized to be appropriated to the Commission \$3,000,000 for each of the fiscal years 1999 and 2000 to carry out the provisions of this title.

(b) **AVAILABILITY OF FUNDS.**—Amounts authorized to be appropriated under subparagraph (a) are authorized to remain available until expended but not later than the date of termination of the Commission.

SEC. 206. TERMINATION.

The Commission shall terminate 4 years after the initial appointment of all of the Commissioners.

TITLE III—NATIONAL SECURITY COUNCIL

SEC. 301. SPECIAL ADVISER ON INTERNATIONAL RELIGIOUS FREEDOM.

Section 101 of the National Security Act of 1947 (50 U.S.C. 402) is amended by adding at the end the following new subsection:

“(i) It is the sense of the Congress that there should be within the staff of the National Security Council a Special Adviser to the President on International Religious Freedom, whose position should be comparable to that of a director within the Executive Office of the President. The Special Adviser should serve as a resource for executive branch officials, compiling and maintaining information on the facts and circumstances of violations of religious freedom (as defined in section 3 of the International Religious Freedom Act of 1998), and making policy recommendations. The Special Adviser should serve as liaison with the Ambassador at Large for International Religious Freedom, the United States Commission on International Religious Freedom, Congress and, as advisable, religious nongovernmental organizations.”.

TITLE IV—PRESIDENTIAL ACTIONS

Subtitle I—Targeted Responses to Violations of Religious Freedom Abroad

SEC. 401. PRESIDENTIAL ACTIONS IN RESPONSE TO VIOLATIONS OF RELIGIOUS FREEDOM.

(a) **RESPONSE TO VIOLATIONS OF RELIGIOUS FREEDOM.**—

(1) **IN GENERAL.**—

(A) **UNITED STATES POLICY.**—It shall be the policy of the United States—

(i) to oppose violations of religious freedom that are or have been engaged in or tolerated by the governments of foreign countries; and

(ii) to promote the right to freedom of religion in those countries through the actions described in subsection (b).

(B) **REQUIREMENT OF PRESIDENTIAL ACTION.**—For each foreign country the government of which engages in or tolerates violations of reli-

gious freedom, the President shall oppose such violations and promote the right to freedom of religion in that country through the actions described in subsection (b).

(2) **BASIS OF ACTIONS.**—Each action taken under paragraph (1)(B) shall be based upon information regarding violations of religious freedom, as described in the latest Country Reports on Human Rights Practices, the Annual Report and Executive Summary, and on any other evidence available, and shall take into account any findings or recommendations by the Commission with respect to the foreign country.

(b) **PRESIDENTIAL ACTIONS.**—

(1) **IN GENERAL.**—Subject to paragraphs (2) and (3), the President, in consultation with the Secretary of State, the Ambassador at Large, the Special Adviser, and the Commission, shall, as expeditiously as practicable in response to the violations described in subsection (a) by the government of a foreign country—

(A) take one or more of the actions described in paragraphs (1) through (15) of section 405(a) (or commensurate action in substitution thereto) with respect to such country; or

(B) negotiate and enter into a binding agreement with the government of such country, as described in section 405(c).

(2) **DEADLINE FOR ACTIONS.**—Not later than September 1 of each year, the President shall take action under any of the paragraphs (1) through (15) of section 405(a) (or commensurate action in substitution thereto) with respect to each foreign country the government of which has engaged in or tolerated violations of religious freedom at any time since September 1 of the preceding year, except that in the case of action under any of the paragraphs (9) through (15) of section 405(a) (or commensurate action in substitution thereto)—

(A) the action may only be taken after the requirements of sections 403 and 404 have been satisfied; and

(B) the September 1 limitation shall not apply.

(3) **AUTHORITY FOR DELAY OF PRESIDENTIAL ACTIONS.**—The President may delay action under paragraph (2) described in any of the paragraphs (9) through (15) of section 405(a) (or commensurate action in substitution thereto) if he determines and certifies to Congress that a single, additional period of time, not to exceed 90 days, is necessary pursuant to the same provisions applying to countries of particular concern for religious freedom under section 402(c)(3).

(c) **IMPLEMENTATION.**—

(1) **IN GENERAL.**—In carrying out subsection (b), the President shall—

(A) take the action or actions that most appropriately respond to the nature and severity of the violations of religious freedom;

(B) seek to the fullest extent possible to target action as narrowly as practicable with respect to the agency or instrumentality of the foreign government, or specific officials thereof, that are responsible for such violations; and

(C) when appropriate, make every reasonable effort to conclude a binding agreement concerning the cessation of such violations in countries with which the United States has diplomatic relations.

(2) **GUIDELINES FOR PRESIDENTIAL ACTIONS.**—In addition to the guidelines under paragraph (1), the President, in determining whether to take a Presidential action under paragraphs (9) through (15) of section 405(a) (or commensurate action in substitution thereto), shall seek to minimize any adverse impact on—

(A) the population of the country whose government is targeted by the Presidential action or actions; and

(B) the humanitarian activities of United States and foreign nongovernmental organizations in such country.

SEC. 402. PRESIDENTIAL ACTIONS IN RESPONSE TO PARTICULARLY SEVERE VIOLATIONS OF RELIGIOUS FREEDOM.

(a) **RESPONSE TO PARTICULARLY SEVERE VIOLATIONS OF RELIGIOUS FREEDOM.**—

(1) UNITED STATES POLICY.—It shall be the policy of the United States—

(A) to oppose particularly severe violations of religious freedom that are or have been engaged in or tolerated by the governments of foreign countries; and

(B) to promote the right to freedom of religion in those countries through the actions described in subsection (C).

(2) REQUIREMENT OF PRESIDENTIAL ACTION.—Whenever the President determines that the government of a foreign country has engaged in or tolerated particularly severe violations of religious freedom, the President shall oppose such violations and promote the right to religious freedom through one or more of the actions described in subsection (c).

(b) DESIGNATIONS OF COUNTRIES OF PARTICULAR CONCERN FOR RELIGIOUS FREEDOM.—

(1) ANNUAL REVIEW.—

(A) IN GENERAL.—Not later than September 1 of each year, the President shall review the status of religious freedom in each foreign country to determine whether the government of that country has engaged in or tolerated particularly severe violations of religious freedom in that country during the preceding 12 months or since the date of the last review of that country under this subparagraph, whichever period is longer. The President shall designate each country the government of which has engaged in or tolerated violations described in this subparagraph as a country of particular concern for religious freedom.

(B) BASIS OF REVIEW.—Each review conducted under subparagraph (A) shall be based upon information contained in the latest Country Reports on Human Rights Practices, the Annual Report, and on any other evidence available and shall take into account any findings or recommendations by the Commission with respect to the foreign country.

(C) IMPLEMENTATION.—Any review under subparagraph (A) of a foreign country may take place singly or jointly with the review of one or more countries and may take place at any time prior to September 1 of the respective year.

(2) DETERMINATIONS OF RESPONSIBLE PARTIES.—For the government of each country designated as a country of particular concern for religious freedom under paragraph (1)(A), the President shall seek to determine the agency or instrumentality thereof and the specific officials thereof that are responsible for the particularly severe violations of religious freedom engaged in or tolerated by that government in order to appropriately target Presidential actions under this section in response.

(3) CONGRESSIONAL NOTIFICATION.—Whenever the President designates a country as a country of particular concern for religious freedom under paragraph (1)(A), the President shall, as soon as practicable after the designation is made, transmit to the appropriate congressional committees—

(A) the designation of the country, signed by the President; and

(B) the identification, if any, of responsible parties determined under paragraph (2).

(c) PRESIDENTIAL ACTIONS WITH RESPECT TO COUNTRIES OF PARTICULAR CONCERN FOR RELIGIOUS FREEDOM.—

(1) IN GENERAL.—Subject to paragraphs (2), (3), and (4) with respect to each country of particular concern for religious freedom designated under subsection (b)(1)(A), the President shall, after the requirements of sections 403 and 404 have been satisfied, but not later than 90 days (or 180 days in case of a delay under paragraph (3)) after the date of designation of the country under that subsection, carry out one or more of the following actions under subparagraph (A) or subparagraph (B):

(A) PRESIDENTIAL ACTIONS.—One or more of the Presidential actions described in paragraphs (9) through (15) of section 405(a), as determined by the President.

(B) COMMENSURATE ACTIONS.—Commensurate action in substitution to any action described in subparagraph (A).

(2) SUBSTITUTION OF BINDING AGREEMENTS.—

(A) IN GENERAL.—In lieu of carrying out action under paragraph (1), the President may conclude a binding agreement with the respective foreign government as described in section 405(c). The existence of a binding agreement under this paragraph with a foreign government may be considered by the President prior to making any determination or taking any action under this title.

(B) STATUTORY CONSTRUCTION.—Nothing in this paragraph may be construed to authorize the entry of the United States into an agreement covering matters outside the scope of violations of religious freedom.

(3) AUTHORITY FOR DELAY OF PRESIDENTIAL ACTIONS.—If, on or before the date that the President is required (but for this paragraph) to take action under paragraph (1), the President determines and certifies to Congress that a single, additional period of time not to exceed 90 days is necessary—

(A) for a continuation of negotiations that have been commenced with the government of that country to bring about a cessation of the violations by the foreign country;

(B) for a continuation of multilateral negotiations into which the United States has entered to bring about a cessation of the violations by the foreign country;

(C)(i) for a review of corrective action taken by the foreign country after designation of such country as a country of particular concern; or

(ii) in anticipation that corrective action will be taken by the foreign country during the 90-day period, then the President shall not be required to take action until the expiration of that period of time.

(4) EXCEPTION FOR ONGOING PRESIDENTIAL ACTION.—The President shall not be required to take action pursuant to this subsection in the case of a country of particular concern for religious freedom, if with respect to such country—

(A) the President has taken action pursuant to this Act in a preceding year;

(B) such action is in effect at the time the country is designated as a country of particular concern for religious freedom under this section;

(C) the President reports to Congress the information described in section 404(a) (1), (2), (3), and (4) regarding the actions in effect with respect to the country; and

(D) at the time the President determines a country to be a country of particular concern, if that country is already subject to multiple, broad-based sanctions imposed in significant part in response to human rights abuses, and such sanctions are ongoing, the President may determine that one or more of these sanctions also satisfies the requirements of this subsection. In a report to Congress pursuant to section 404(a) (1), (2), (3), and (4), and, as applicable, to section 408, the President must designate the specific sanction or sanctions which he determines satisfy the requirements of this subsection. The sanctions so designated shall remain in effect subject to section 409 of this Act.

(d) STATUTORY CONSTRUCTION.—A determination under this Act, or any amendment made by this Act, that a foreign country has engaged in or tolerated particularly severe violations of religious freedom shall not be construed to require the termination of assistance or other activities with respect to that country under any other provision of law, including section 116 or 502B of the Foreign Assistance Act of 1961 (22 U.S.C. 2151n, 2304).

SEC. 403. CONSULTATIONS.

(a) IN GENERAL.—As soon as practicable after the President decides to take action under section 401 in response to violations of religious freedom and the President decides to take action under paragraphs (9) through (15) of section 405(a) (or commensurate action in substitution thereto) with respect to that country, or not later than 90 days after the President designates a country as a country of particular concern for

religious freedom under section 402, as the case may be, the President shall carry out the consultations required in this section.

(b) DUTY TO CONSULT WITH FOREIGN GOVERNMENTS PRIOR TO TAKING PRESIDENTIAL ACTIONS.—

(1) IN GENERAL.—The President shall—

(A) request consultation with the government of such country regarding the violations giving rise to designation of that country as a country of particular concern for religious freedom or to Presidential action under section 401; and

(B) if agreed to, enter into such consultations, privately or publicly.

(2) USE OF MULTILATERAL FORA.—If the President determines it to be appropriate, such consultations may be sought and may occur in a multilateral forum, but, in any event, the President shall consult with appropriate foreign governments for the purposes of achieving a coordinated international policy on actions that may be taken with respect to a country described in subsection (a), prior to implementing any such action.

(3) ELECTION OF NONDISCLOSURE OF NEGOTIATIONS TO PUBLIC.—If negotiations are undertaken or an agreement is concluded with a foreign government regarding steps to cease the pattern of violations by that government, and if public disclosure of such negotiations or agreement would jeopardize the negotiations or the implementation of such agreement, as the case may be, the President may refrain from disclosing such negotiations and such agreement to the public, except that the President shall inform the appropriate congressional committees of the nature and extent of such negotiations and any agreement reached.

(c) DUTY TO CONSULT WITH HUMANITARIAN ORGANIZATIONS.—The President should consult with appropriate humanitarian and religious organizations concerning the potential impact of United States policies to promote freedom of religion in countries described in subsection (a).

(d) DUTY TO CONSULT WITH UNITED STATES INTERESTED PARTIES.—The President shall, as appropriate, consult with United States interested parties as to the potential impact of intended Presidential action or actions in countries described in subsection (a) on economic or other interests of the United States.

SEC. 404. REPORT TO CONGRESS.

(a) IN GENERAL.—Subject to subsection (b), not later than 90 days after the President decides to take action under section 401 in response to violations of religious freedom and the President decides to take action under paragraphs (9) through (15) of section 405(a) (or commensurate action in substitution thereto) with respect to that country, or not later than 90 days after the President designates a country as a country of particular concern for religious freedom under section 402, as the case may be, the President shall submit a report to Congress containing the following:

(1) IDENTIFICATION OF PRESIDENTIAL ACTIONS.—An identification of the Presidential action or actions described in paragraphs (9) through (15) of section 405(a) (or commensurate action in substitution thereto) to be taken with respect to the foreign country.

(2) DESCRIPTION OF VIOLATIONS.—A description of the violations giving rise to the Presidential action or actions to be taken.

(3) PURPOSE OF PRESIDENTIAL ACTIONS.—A description of the purpose of the Presidential action or actions.

(4) EVALUATION.—

(A) DESCRIPTION.—An evaluation, in consultation with the Secretary of State, the Ambassador at Large, the Commission, the Special Adviser, the parties described in section 403 (c) and (d), and whoever else the President deems appropriate, of—

(i) the impact upon the foreign government;

(ii) the impact upon the population of the country; and

(iii) the impact upon the United States economy and other interested parties.

(B) **AUTHORITY TO WITHHOLD DISCLOSURE.**—The President may withhold part or all of such evaluation from the public but shall provide the entire evaluation to Congress.

(5) **STATEMENT OF POLICY OPTIONS.**—A statement that noneconomic policy options designed to bring about cessation of the particularly severe violations of religious freedom have reasonably been exhausted, including the consultations required in section 403.

(6) **DESCRIPTION OF MULTILATERAL NEGOTIATIONS.**—A description of multilateral negotiations sought or carried out, if appropriate and applicable.

(b) **DELAY IN TRANSMITTAL OF REPORT.**—If, on or before the date that the President is required (but for this subsection) to submit a report under subsection (a) to Congress, the President determines and certifies to Congress that a single, additional period of time not to exceed 90 days is necessary pursuant to section 401(b)(3) or section 402(c)(3), then the President shall not be required to submit the report to Congress until the expiration of that period of time.

SEC. 405. DESCRIPTION OF PRESIDENTIAL ACTIONS.

(a) **DESCRIPTION OF PRESIDENTIAL ACTIONS.**—Except as provided in subsection (d), the Presidential actions referred to in this subsection are the following:

- (1) A private demarche.
- (2) An official public demarche.
- (3) A public condemnation.
- (4) A public condemnation within one or more multilateral fora.
- (5) The delay or cancellation of one or more scientific exchanges.
- (6) The delay or cancellation of one or more cultural exchanges.
- (7) The denial of one or more working, official, or state visits.
- (8) The delay or cancellation of one or more working, official, or state visits.
- (9) The withdrawal, limitation, or suspension of United States development assistance in accordance with section 116 of the Foreign Assistance Act of 1961.

(10) Directing the Export-Import Bank of the United States, the Overseas Private Investment Corporation, or the Trade and Development Agency not to approve the issuance of any (or a specified number of) guarantees, insurance, extensions of credit, or participations in the extension of credit with respect to the specific government, agency, instrumentality, or official found or determined by the President to be responsible for violations under section 401 or 402.

(11) The withdrawal, limitation, or suspension of United States security assistance in accordance with section 502B of the Foreign Assistance Act of 1961.

(12) Consistent with section 701 of the International Financial Institutions Act of 1977, directing the United States executive directors of international financial institutions to oppose and vote against loans primarily benefiting the specific foreign government, agency, instrumentality, or official found or determined by the President to be responsible for violations under section 401 or 402.

(13) Ordering the heads of the appropriate United States agencies not to issue any (or a specified number of) specific licenses, and not to grant any other specific authority (or a specified number of authorities), to export any goods or technology to the specific foreign government, agency, instrumentality, or official found or determined by the President to be responsible for violations under section 401 or 402, under—

- (A) the Export Administration Act of 1979;
- (B) the Arms Export Control Act;
- (C) the Atomic Energy Act of 1954; or
- (D) any other statute that requires the prior review and approval of the United States Government as a condition for the export or reexport of goods or services.

(14) Prohibiting any United States financial institution from making loans or providing cred-

its totaling more than \$10,000,000 in any 12-month period to the specific foreign government, agency, instrumentality, or official found or determined by the President to be responsible for violations under section 401 or 402.

(15) Prohibiting the United States Government from procuring, or entering into any contract for the procurement of, any goods or services from the foreign government, entities, or officials found or determined by the President to be responsible for violations under section 401 or 402.

(b) **COMMENSURATE ACTION.**—Except as provided in subsection (d), the President may substitute any other action authorized by law for any action described in paragraphs (1) through (15) of subsection (a) if such action is commensurate in effect to the action substituted and if the action would further the policy of the United States set forth in section 2(b) of this Act. The President shall seek to take all appropriate and feasible actions authorized by law to obtain the cessation of the violations. If commensurate action is taken, the President shall report such action, together with an explanation for taking such action, to the appropriate congressional committees.

(c) **BINDING AGREEMENTS.**—The President may negotiate and enter into a binding agreement with a foreign government that obligates such government to cease, or take substantial steps to address and phase out, the act, policy, or practice constituting the violation of religious freedom. The entry into force of a binding agreement for the cessation of the violations shall be a primary objective for the President in responding to a foreign government that has engaged in or tolerated particularly severe violations of religious freedom.

(d) **EXCEPTIONS.**—Any action taken pursuant to subsection (a) or (b) may not prohibit or restrict the provision of medicine, medical equipment or supplies, food, or other humanitarian assistance.

SEC. 406. EFFECTS ON EXISTING CONTRACTS.

The President shall not be required to apply or maintain any Presidential action under this subtitle—

(1) in the case of procurement of defense articles or defense services—

(A) under existing contracts or subcontracts, including the exercise of options for production quantities, to satisfy requirements essential to the national security of the United States;

(B) if the President determines in writing and so reports to Congress that the person or other entity to which the Presidential action would otherwise be applied is a sole source supplier of the defense articles or services, that the defense articles or services are essential, and that alternative sources are not readily or reasonably available; or

(C) if the President determines in writing and so reports to Congress that such articles or services are essential to the national security under defense coproduction agreements; or

(2) to products or services provided under contracts entered into before the date on which the President publishes his intention to take the Presidential action.

SEC. 407. PRESIDENTIAL WAIVER.

(a) **IN GENERAL.**—Subject to subsection (b), the President may waive the application of any of the actions described in paragraphs (9) through (15) of section 405(a) (or commensurate action in substitution thereto) with respect to a country, if the President determines and so reports to the appropriate congressional committees that—

(1) the respective foreign government has ceased the violations giving rise to the Presidential action;

(2) the exercise of such waiver authority would further the purposes of this Act; or

(3) the important national interest of the United States requires the exercise of such waiver authority.

(b) **CONGRESSIONAL NOTIFICATION.**—Not later than the date of the exercise of a waiver under

subsection (a), the President shall notify the appropriate congressional committees of the waiver or the intention to exercise the waiver, together with a detailed justification thereof.

SEC. 408. PUBLICATION IN FEDERAL REGISTER.

(a) **IN GENERAL.**—Subject to subsection (b), the President shall cause to be published in the Federal Register the following:

(1) **DETERMINATIONS OF GOVERNMENTS, OFFICIALS, AND ENTITIES OF PARTICULAR CONCERN.**—Any designation of a country of particular concern for religious freedom under section 402(b)(1), together with, when applicable and to the extent practicable, the identities of the officials or entities determined to be responsible for the violations under section 402(b)(2).

(2) **PRESIDENTIAL ACTIONS.**—A description of any Presidential action under paragraphs (9) through (15) of section 405(a) (or commensurate action in substitution thereto) and the effective date of the Presidential action.

(3) **DELAYS IN TRANSMITTAL OF PRESIDENTIAL ACTION REPORTS.**—Any delay in transmittal of a Presidential action report, as described in section 404(b).

(4) **WAIVERS.**—Any waiver under section 407.

(b) **LIMITED DISCLOSURE OF INFORMATION.**—The President may limit publication of information under this section in the same manner and to the same extent as the President may limit the publication of findings and determinations described in section 654(c) of the Foreign Assistance Act of 1961 (22 U.S.C. 2414(c)), if the President determines that the publication of information under this section—

(1) would be harmful to the national security of the United States; or

(2) would not further the purposes of this Act.

SEC. 409. TERMINATION OF PRESIDENTIAL ACTIONS.

Any Presidential action taken under this Act with respect to a foreign country shall terminate on the earlier of the following dates:

(1) **TERMINATION DATE.**—Within 2 years of the effective date of the Presidential action unless expressly reauthorized by law.

(2) **FOREIGN GOVERNMENT ACTIONS.**—Upon the determination by the President, in consultation with the Commission, and certification to Congress that the foreign government has ceased or taken substantial and verifiable steps to cease the particularly severe violations of religious freedom.

SEC. 410. PRECLUSION OF JUDICIAL REVIEW.

No court shall have jurisdiction to review any Presidential determination or agency action under this Act or any amendment made by this Act.

Subtitle II—Strengthening Existing Law

SEC. 421. UNITED STATES ASSISTANCE.

(a) **IMPLEMENTATION OF PROHIBITION ON ECONOMIC ASSISTANCE.**—Section 116(c) of the Foreign Assistance Act of 1961 (22 U.S.C. 2151n(c)) is amended—

(1) in the text above paragraph (1), by inserting “and in consultation with the Ambassador at Large for International Religious Freedom” after “Labor”;

(2) by striking “and” at the end of paragraph (1);

(3) by striking the period at the end of paragraph (2) and inserting “; and”;

(4) by adding at the end the following new paragraph:

“(3) whether the government—
“(A) has engaged in or tolerated particularly severe violations of religious freedom, as defined in section 3 of the International Religious Freedom Act of 1998; or

“(B) has failed to undertake serious and sustained efforts to combat particularly severe violations of religious freedom (as defined in section 3 of the International Religious Freedom Act of 1998), when such efforts could have been reasonably undertaken.”

(b) **IMPLEMENTATION OF PROHIBITION ON MILITARY ASSISTANCE.**—Section 502B(a) of the For-

eign Assistance Act of 1961 (22 U.S.C. 2304(a)) is amended by adding at the end the following new paragraph:

"(4) In determining whether the government of a country engages in a consistent pattern of gross violations of internationally recognized human rights, the President shall give particular consideration to whether the government—

"(A) has engaged in or tolerated particularly severe violations of religious freedom, as defined in section 3 of the International Religious Freedom Act of 1998; or

"(B) has failed to undertake serious and sustained efforts to combat particularly severe violations of religious freedom when such efforts could have been reasonably undertaken."

SEC. 422. MULTILATERAL ASSISTANCE.

Section 701 of the International Financial Institutions Act (22 U.S.C. 262d) is amended by adding at the end the following new subsection:

"(g) In determining whether the government of a country engages in a pattern of gross violations of internationally recognized human rights, as described in subsection (a), the President shall give particular consideration to whether a foreign government—

"(1) has engaged in or tolerated particularly severe violations of religious freedom, as defined in section 3 of the International Religious Freedom Act of 1998; or

"(2) has failed to undertake serious and sustained efforts to combat particularly severe violations of religious freedom when such efforts could have been reasonably undertaken."

SEC. 423. EXPORTS OF CERTAIN ITEMS USED IN PARTICULARLY SEVERE VIOLATIONS OF RELIGIOUS FREEDOM.

(a) **MANDATORY LICENSING.**—Notwithstanding any other provision of law, the Secretary of Commerce, with the concurrence of the Secretary of State, shall include on the list of crime control and detection instruments or equipment controlled for export and reexport under section 6(n) of the Export Administration Act of 1979 (22 U.S.C. App. 2405(n)), or under any other provision of law, items being exported or reexported to countries of particular concern for religious freedom that the Secretary of Commerce, with the concurrence of the Secretary of State, and in consultation with appropriate officials including the Assistant Secretary of State for Democracy, Human Rights and Labor and the Ambassador at Large, determines are being used or are intended for use directly and in significant measure to carry out particularly severe violations of religious freedom.

(b) **LICENSING BAN.**—The prohibition on the issuance of a license for export of crime control and detection instruments or equipment under section 502B(a)(2) of the Foreign Assistance Act of 1961 (22 U.S.C. 2304(a)(2)) shall apply to the export and reexport of any item included pursuant to subsection (a) on the list of crime control instruments.

TITLE V—PROMOTION OF RELIGIOUS FREEDOM

SEC. 501. ASSISTANCE FOR PROMOTING RELIGIOUS FREEDOM.

(a) **FINDINGS.**—Congress makes the following findings:

(1) In many nations where severe violations of religious freedom occur, there is not sufficient statutory legal protection for religious minorities or there is not sufficient cultural and social understanding of international norms of religious freedom.

(2) Accordingly, in the provision of foreign assistance, the United States should make a priority of promoting and developing legal protections and cultural respect for religious freedom.

(b) **ALLOCATION OF FUNDS FOR INCREASED PROMOTION OF RELIGIOUS FREEDOMS.**—Section 116(e) of the Foreign Assistance Act of 1961 (22 U.S.C. 2151n(e)) is amended by inserting ", including the right to free religious belief and practice" after "adherence to civil and political rights".

SEC. 502. INTERNATIONAL BROADCASTING.

Section 303(a) of the United States International Broadcasting Act of 1994 (22 U.S.C. 6202(a)) is amended—

(1) by striking "and" at the end of paragraph (6);

(2) by striking the period at the end of paragraph (7) and inserting "; and"; and

(3) by adding at the end the following:

"(8) promote respect for human rights, including freedom of religion."

SEC. 503. INTERNATIONAL EXCHANGES.

Section 102(b) of the Mutual Educational and Cultural Exchange Act of 1961 (22 U.S.C. 2452(b)) is amended—

(1) by striking "and" after paragraph (10);

(2) by striking the period at the end of paragraph (11) and inserting "; and"; and

(3) by adding at the end the following:

"(12) promoting respect for and guarantees of religious freedom abroad by interchanges and visits between the United States and other nations of religious leaders, scholars, and religious and legal experts in the field of religious freedom."

SEC. 504. FOREIGN SERVICE AWARDS.

(a) **PERFORMANCE PAY.**—Section 405(d) of the Foreign Service Act of 1980 (22 U.S.C. 3965(d)) is amended by inserting after the first sentence the following: "Such service in the promotion of internationally recognized human rights, including the right to freedom of religion, shall serve as a basis for granting awards under this section."

(b) **FOREIGN SERVICE AWARDS.**—Section 614 of the Foreign Service Act of 1980 (22 U.S.C. 4013) is amended by adding at the end the following new sentence: "Distinguished, meritorious service in the promotion of internationally recognized human rights, including the right to freedom of religion, shall serve as a basis for granting awards under this section."

TITLE VI—REFUGEE, ASYLUM, AND CONSULAR MATTERS

SEC. 601. USE OF ANNUAL REPORT.

The Annual Report, together with other relevant documentation, shall serve as a resource for immigration judges and consular, refugee, and asylum officers in cases involving claims of persecution on the grounds of religion. Absence of reference by the Annual Report to conditions described by the alien shall not constitute the sole grounds for a denial of the alien's claim.

SEC. 602. REFORM OF REFUGEE POLICY.

(a) **TRAINING.**—Section 207 of the Immigration and Nationality Act (8 U.S.C. 1157) is amended by adding at the end the following new subsection:

"(f)(1) The Attorney General, in consultation with the Secretary of State, shall provide all United States officials adjudicating refugee cases under this section with the same training as that provided to officers adjudicating asylum cases under section 208.

"(2) Such training shall include country-specific conditions, instruction on the internationally recognized right to freedom of religion, instruction on methods of religious persecution practiced in foreign countries, and applicable distinctions within a country between the nature of and treatment of various religious practices and believers."

(b) **TRAINING FOR FOREIGN SERVICE OFFICERS.**—Section 708 of the Foreign Service Act of 1980, as added by section 104 of this Act, is further amended—

(1) by inserting "(a)" before "The Secretary of State"; and

(2) by adding at the end the following:

"(b) The Secretary of State shall provide sessions on refugee law and adjudications and on religious persecution to each individual seeking a commission as a United States consular officer. The Secretary shall also ensure that any member of the Service who is assigned to a position that may be called upon to assess requests for consideration for refugee admissions, includ-

ing any consular officer, has completed training on refugee law and refugee adjudications in addition to the training required in this section."

(c) GUIDELINES FOR REFUGEE-PROCESSING POSTS.—

(1) **GUIDELINES FOR ADDRESSING HOSTILE BIASES.**—The Attorney General and the Secretary of State shall develop and implement guidelines that address potential biases in personnel of the Immigration and Naturalization Service that are hired abroad and involved with duties which could constitute an effective barrier to a refugee claim if such personnel carries a bias against the claimant on the grounds of religion, race, nationality, membership in a particular social group, or political opinion. The subject matter of this training should be culturally sensitive and tailored to provide a nonbiased, nonadversarial atmosphere for the purpose of refugee adjudications.

(2) **GUIDELINES FOR REFUGEE-PROCESSING POSTS IN ESTABLISHING AGREEMENTS WITH UNITED STATES GOVERNMENT-DESIGNATED REFUGEE PROCESSING ENTITIES.**—The Attorney General and the Secretary of State shall develop and implement guidelines to ensure uniform procedures for establishing agreements with United States Government-designated refugee processing entities and personnel, and uniform procedures for such entities and personnel responsible for preparing refugee case files for use by the Immigration and Naturalization Service during refugee adjudications. These procedures should ensure, to the extent practicable, that case files prepared by such entities accurately reflect information provided by the refugee applicants and that genuine refugee applicants are not disadvantaged or denied refugee status due to faulty case file preparation.

(d) **ANNUAL CONSULTATION.**—The President shall include in each annual report on proposed refugee admissions under section 207(d) of the Immigration and Nationality Act (8 U.S.C. 1157(d)) information about religious persecution of refugee populations eligible for consideration for admission to the United States. The Secretary of State shall include information on religious persecution of refugee populations in the formal testimony presented to the Committees on the Judiciary of the House of Representatives and the Senate during the consultation process under section 207(e) of the Immigration and Nationality Act (8 U.S.C. 1157(e)).

SEC. 603. REFORM OF ASYLUM POLICY.

(a) **GUIDELINES.**—The Attorney General and the Secretary of State shall develop guidelines to ensure that persons with potential biases against individuals on the grounds of religion, race, nationality, membership in a particular social group, or political opinion, including interpreters and personnel of airlines owned by governments known to be involved in practices which would meet the definition of persecution under international refugee law, shall not in any manner be used to interpret conversations between aliens and inspection or asylum officers.

(b) **TRAINING FOR ASYLUM AND IMMIGRATION OFFICERS.**—The Attorney General, in consultation with the Secretary of State, the Ambassador at Large, and other relevant officials such as the Director of the National Foreign Affairs Training Center, shall provide training to all officers adjudicating asylum cases, and to immigration officers performing duties under section 235(b) of the Immigration and Nationality Act (8 U.S.C. 1225(b)), on the nature of religious persecution abroad, including country-specific conditions, instruction on the internationally recognized right to freedom of religion, instruction on methods of religious persecution practiced in foreign countries, and applicable distinctions within a country in the treatment of various religious practices and believers.

(c) **TRAINING FOR IMMIGRATION JUDGES.**—The Executive Office of Immigration Review of the Department of Justice shall incorporate into its initial and ongoing training of immigration

judges training on the extent and nature of religious persecution internationally, including country-specific conditions, and including use of the Annual Report. Such training shall include governmental and nongovernmental methods of persecution employed, and differences in the treatment of religious groups by such persecuting entities.

SEC. 604. INADMISSIBILITY OF FOREIGN GOVERNMENT OFFICIALS WHO HAVE ENGAGED IN PARTICULARLY SEVERE VIOLATIONS OF RELIGIOUS FREEDOM.

(a) **INELIGIBILITY FOR VISAS OR ADMISSION.**—Section 212(a)(2) of the Immigration and Nationality Act (8 U.S.C. 1182(a)(2)) is amended by adding at the end the following new subparagraph:

“(G) **FOREIGN GOVERNMENT OFFICIALS WHO HAVE ENGAGED IN PARTICULARLY SEVERE VIOLATIONS OF RELIGIOUS FREEDOM.**—Any alien who, while serving as a foreign government official, was responsible for or directly carried out, at any time during the preceding 24-month period, particularly severe violations of religious freedom, as defined in section 3 of the International Religious Freedom Act of 1998, and the spouse and children, if any, are inadmissible.”

(b) **EFFECTIVE DATE.**—The amendment made by subsection (a) shall apply to aliens seeking to enter the United States on or after the date of enactment of this Act.

SEC. 605. STUDIES ON THE EFFECT OF EXPEDITED REMOVAL PROVISIONS ON ASYLUM CLAIMS.

(a) **STUDIES.**—

(1) **COMMISSION REQUEST FOR PARTICIPATION BY EXPERTS ON REFUGEE AND ASYLUM ISSUES.**—If the Commission so requests, the Attorney General shall invite experts designated by the Commission, who are recognized for their expertise and knowledge of refugee and asylum issues, to conduct a study, in cooperation with the Comptroller General of the United States, to determine whether immigration officers described in paragraph (2) are engaging in any of the conduct described in such paragraph.

(2) **DUTIES OF COMPTROLLER GENERAL.**—The Comptroller General of the United States shall conduct a study alone or, upon request by the Commission, in cooperation with experts designated by the Commission, to determine whether immigration officers performing duties under section 235(b) of the Immigration and Nationality Act (8 U.S.C. 1225(b)) with respect to aliens who may be eligible to be granted asylum are engaging in any of the following conduct:

(A) Improperly encouraging such aliens to withdraw their applications for admission.

(B) Incorrectly failing to refer such aliens for an interview by an asylum officer for a determination of whether they have a credible fear of persecution (within the meaning of section 235(b)(1)(B)(v) of such Act).

(C) Incorrectly removing such aliens to a country where they may be persecuted.

(D) Detaining such aliens improperly or in inappropriate conditions.

(b) **REPORTS.**—

(1) **PARTICIPATION BY EXPERTS.**—In the case of a Commission request under subsection (a), the experts designated by the Commission under that subsection may submit a report to the committees described in paragraph (2). Such report may be submitted with the Comptroller General's report under subsection (a)(2) or independently.

(2) **DUTIES OF COMPTROLLER GENERAL.**—Not later than September 1, 2000, the Comptroller General of the United States shall submit to the Committees on the Judiciary of the House of Representatives and the Senate, the Committee on International Relations of the House of Representatives, and the Committee on Foreign Relations of the Senate a report containing the results of the study conducted under subsection (a)(2). If the Commission requests designated experts to participate with the Comptroller General in the preparation and submission of the re-

port, the Comptroller General shall grant the request.

(c) **ACCESS TO PROCEEDINGS.**—

(1) **IN GENERAL.**—Except as provided in paragraph (2), to facilitate the studies and reports, the Attorney General shall permit the Comptroller General of the United States and, in the case of a Commission request under subsection (a), the experts designated under subsection (a) to have unrestricted access to all stages of all proceedings conducted under section 235(b) of the Immigration and Nationality Act.

(2) **EXCEPTIONS.**—Paragraph (1) shall not apply in cases in which the alien objects to such access, or the Attorney General determines that the security of a particular proceeding would be threatened by such access, so long as any restrictions on the access of experts designated by the Commission under subsection (a) do not contravene international law.

TITLE VII—MISCELLANEOUS PROVISIONS

SEC. 701. BUSINESS CODES OF CONDUCT.

(a) **CONGRESSIONAL FINDING.**—Congress recognizes the increasing importance of transnational corporations as global actors, and their potential for providing positive leadership in their host countries in the area of human rights.

(b) **SENSE OF CONGRESS.**—It is the sense of Congress that transnational corporations operating overseas, particularly those corporations operating in countries the governments of which have engaged in or tolerated violations of religious freedom, as identified in the Annual Report, should adopt codes of conduct—

(1) upholding the right to freedom of religion of their employees; and

(2) ensuring that a worker's religious views and peaceful practices of belief in no way affect, or be allowed to affect, the status or terms of his or her employment.

The SPEAKER pro tempore, Mr. LAHOOD, recognized Mr. GILMAN and Mr. CLEMENT, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and agree to said amendments?

The SPEAKER pro tempore, Mr. LAHOOD, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said amendments of the Senate were agreed to.

A motion to reconsider the vote whereby the rules were suspended and said amendments of the Senate were agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶107.48 VICTIMS OF TORTURE SUPPORT PROGRAM

Mr. GILMAN moved to suspend the rules and agree to the following amendment of the Senate to the bill (H.R. 4309) to provide a comprehensive program of support for victims of torture:

Page 6, strike out all after line 9, down to and including line 21 and insert:

(b) **FUNDING.**—

(1) **AUTHORIZATION OF APPROPRIATIONS.**—Of the amounts authorized to be appropriated for the Department of Health and Human Services for fiscal years 1999 and 2000, there are authorized to be appropriated to carry out subsection (a) (relating to assistance for domestic centers and programs for the treatment of victims of torture) \$5,000,000 for fiscal year 1999, and \$7,500,000 for fiscal year 2000.

(2) **AVAILABILITY OF FUNDS.**—Amounts appropriated pursuant to this subsection shall remain available until expended.

The SPEAKER pro tempore, Mrs. EMERSON, recognized Mr. GILMAN and Mr. CLEMENT, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and agree to said amendment?

The SPEAKER pro tempore, Mrs. EMERSON, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said amendment of the Senate was agreed to.

A motion to reconsider the vote whereby the rules were suspended and said amendment of the Senate was agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶107.49 CAMBODIA WAR CRIMES

Mr. GILMAN moved to suspend the rules and agree to the following resolution (H. Res. 533); as amended:

Whereas under the Vietnamese communist occupation of Cambodia (the former People's Republic of Kampuchea and the State of Cambodia) between 1979 and 1989, Hun Sen was among a large number of former Khmer Rouge members who were designated by the Vietnamese communists as surrogate leaders of the People's Republic of Kampuchea, where international human rights organizations documented widespread human rights violations;

Whereas during the period leading to internationally supervised elections in 1993, as Prime Minister of the State of Cambodia and a Politburo member of the communist Cambodian People's Party (CPP), Hun Sen was responsible for the disappearances, murder, and assassination attempts against democratic opponents of the Cambodian People's Party;

Whereas after the Cambodian People's Party lost the 1993 national election, Hun Sen organized a military force that threatened a military coup, resulting in his being given a share of the Prime Minister position with Prince Norodom Ranariddh, the election winner, and his Cambodian People's Party maintaining control of the military, the internal security forces, and provincial government administration;

Whereas in July 1997, Hun Sen ordered a coup d'etat against First Prime Minister Prince Ranariddh which resulted in the deaths of a large number of civilians caught in the crossfire and the torture and summary execution of at least 100 government officials and the forced displacement of at least 50,000 people as assaults continued on people or communities loyal to Prince Ranariddh;

Whereas during the period leading to the July 1998 national election there were widespread threats, assaults, and the suspected assassination of scores of members of parties opposed to Hun Sen;

Whereas in September 1998, Hun Sen ordered a violent crackdown on thousands of unarmed demonstrators, including Buddhist monks, who supported credible investigations of irregularities in the electoral process and the change in the format for allocating seats in the National Assembly which permitted Hun Sen to maintain a small edge over Prince Ranariddh's FUNCINPEC Party and entitled Hun Sen to maintain the post of Prime Minister, which resulted in the brutality toward tens of thousands of pro-de-

mocracy advocates and the deaths and disappearances of an unknown number of people, and led to widespread civil unrest which threatens to further destroy Cambodian society; and

Whereas Hun Sen has held, and continues to hold, high government office in a repressive and violent regime, and has the power to decide for peace and democracy and has instead decided for killing and repression, who has the power to minimize illegal actions by subordinates and allies and hold responsible those who committed such actions, but did not, and who once again is directing a campaign of murder and repression against unarmed civilians, while treating with contempt international efforts to achieve a genuinely democratic government in Cambodia: Now, therefore, be it

Resolved, That it is a sense of the House of Representatives that—

(1) the United States should establish a collection of information that can be supplied to an appropriate international judicial tribunal for use as evidence to support a possible indictment and trial of Hun Sen for violations of international humanitarian law after 1978;

(2) any such information concerning Hun Sen and individuals under his authority already collected by the United States, including information regarding the March 1997 grenade attack against Sam Rainsy, should be provided to the tribunal at the earliest possible time;

(3) the United States should work with members of interested countries and non-governmental organizations relating to information any country or organization may hold concerning allegations of violations of international humanitarian law after 1978 posed against Hun Sen and any individual under his authority in Cambodia and give all such information to the tribunal;

(4) the United States should work with other interested countries relating to measures to be taken to bring to justice Hun Sen and individuals under Hun Sen's authority indicted for such violations of international humanitarian law after 1978; and

(5) the United States should support such a tribunal for the purpose of investigating Hun Sen's possible criminal culpability for conceiving, directing, and sustaining a variety of actions in violation of international humanitarian law after 1978 in any judicial proceeding that may result.

The SPEAKER pro tempore, Mrs. EMERSON, recognized Mr. GILMAN and Mr. DAVIS of Florida, each for 20 minutes.

After debate,

The question being put, *viva voce*,

Will the House suspend the rules and agree to said resolution, as amended?

The SPEAKER pro tempore, Mrs. EMERSON, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said resolution, as amended, was agreed to.

By unanimous consent, the title was amended so as to read: "A Resolution expressing the sense of the House of Representatives regarding the culpability of Hun Sen for violations of international humanitarian law after 1978 in Cambodia (the former People's Republic of Kampuchea and the State of Cambodia)."

A motion to reconsider the votes whereby the rules were suspended and said resolution, as amended, was

agreed to and the title was amended was, by unanimous consent, laid on the table.

¶107.50 65TH ANNIVERSARY OF THE
UKRAINIAN FAMINE REMINDER FOR
THE FORMER SOVIET UNION

Mr. GILMAN moved to suspend the rules and agree to the following concurrent resolution (H. Con. Res. 295):

Whereas this year marks the 65th anniversary of the Ukrainian Famine of 1932-1933 that caused the deaths of at least 7,000,000 Ukrainians and that was covered up and officially denied by the government of the former Soviet Union;

Whereas millions of Ukrainians died, not by natural causes such as pestilence, drought, floods, or a poor harvest, but by policies designed to punish Ukraine for its aversion and opposition to the government of the former Soviet Union's oppression and imperialism, including the forced collectivization of agriculture;

Whereas, when Ukraine was famine-stricken, the government of the former Soviet Union exported 1,700,000 tons of grain to the West while offers from international relief organizations to assist the starving population were rejected on the grounds that there was no famine in Ukraine and no need for the assistance;

Whereas the borders of Ukraine were tightly controlled and starving Ukrainians were not allowed to cross into Russian territory in search of bread;

Whereas, in his book "The Harvest of Sorrow", British historian Robert Conquest explains, "A quarter of the rural population, men, women, and children, lay dead or dying, the rest in various stages of debilitation with no strength to bury their families or neighbors.";

Whereas the Commission on the Ukraine Famine was established on December 13, 1985, to conduct a study with the goal of expanding the world's knowledge and understanding of the famine and to expose the government of the former Soviet Union for its atrocities in the famine;

Whereas the Commission's report to Congress confirmed that the government of the former Soviet Union consciously employed the brutal policy of forced famine to repress the Ukrainian population and to oppress the Ukrainians' inviolable religious and political rights; and

Whereas the Commission on the Ukraine Famine presented 4 volumes of findings and conclusions, 10 volumes of archival material, and over 200 cassettes of testimony from famine survivors to the newly independent Government of Ukraine in 1993, during the official observances of the 60th anniversary of the Ukrainian famine in Kyiv, Ukraine: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring),

SECTION 1. SENSE OF CONGRESS.

It is the sense of Congress that—

(1) the victims of the government of the former Soviet Union-engineered Ukrainian Famine of 1932-1933 be solemnly remembered on its 65th anniversary;

(2) the Congress condemn the systematic disregard for human life, human rights, human liberty, and self-determination that characterized the repressive policies of the government of the former Soviet Union during the Ukrainian Famine of 1932-1933;

(3) on the 65th anniversary of the Ukrainian Famine of 1932-1933, in contrast to the policies of the government of the former Soviet Union, Ukraine is moving toward democracy, a free-market economy, and full respect for human rights, and it is essential

that the United States continue to assist Ukraine as it proceeds down this path; and

(4) any supplemental material that will assist in the dissemination of information about the Ukrainian Famine of 1932-1933, and thereby help to prevent similar future tragedies, be compiled and made available worldwide for the study of the devastation of the famine.

SEC. 2. TRANSMITTAL OF THE RESOLUTION.

The Clerk of the House of Representatives shall—

(1) transmit a copy of this resolution to—
(A) the President;

(B) the Secretary of State; and

(C) the co-chairs of the Congressional Ukrainian Caucus; and

(2) request that the Secretary of State transmit a copy of this resolution to the Government of Ukraine.

The SPEAKER pro tempore, Mrs. EMERSON, recognized Mr. GILMAN and Mr. HASTINGS of Florida, each for 20 minutes.

After debate,

The question being put, *viva voce*,

Will the House suspend the rules and agree to said concurrent resolution?

The SPEAKER pro tempore, Mrs. EMERSON, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said concurrent resolution was agreed to.

A motion to reconsider the vote whereby the rules were suspended and said concurrent resolution was agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said concurrent resolution.

¶107.51 TERRORIST BOMBINGS OF U.S.
EMBASSIES IN EAST AFRICA

Mr. GILMAN moved to suspend the rules and agree to the following resolution (H. Res. 523); as amended:

Whereas on August 7, 1998, 254 people, 12 of whom were United States citizens, were killed when a bomb exploded at the United States Embassy in Nairobi, Kenya, and 9 people were killed when a bomb exploded at the United States Embassy in Dar es Salaam, Tanzania;

Whereas these bombs were detonated minutes apart and were clearly coordinated;

Whereas in both cases trucks, driven by suicidal terrorists and loaded with explosives, approached the embassies but were diverted from attacking their primary targets by quick thinking Embassy security staff;

Whereas the bombs did explode, injuring thousands of innocent civilians and destroying millions of dollars worth of local property;

Whereas the Governments of Israel and France immediately sent search and rescue teams to aid in the aftermath of the bombings;

Whereas on August 7, 1998, Pakistani police arrested suspect Muhammad Sadiq Odeh, who confessed to being part of a team which was orchestrated and financed by Osama bin Laden; and

Whereas Osama bin Laden, an exiled Saudi Arabian businessman who is believed to be currently living in Afghanistan, is a known sponsor of international terrorism against secular Middle Eastern regimes and has publicly stated his support for attacks against American influence, Americans, and American targets: Now, therefore, be it

Resolved, That the House of Representatives—

(1) expresses the deep condolences of the House of Representatives and the American people to the families of all persons killed or injured in the bombing;

(2) expresses our dismay for the mayhem and destruction visited upon the Governments and people of Kenya and Tanzania;

(3) expresses gratitude to the people and the Governments of Kenya and Tanzania for their assistance to the people and the property of the United States in the aftermath of the bombings;

(4) expresses our gratitude to the United States Embassy guards whose quick thinking and heroic actions prevented even more deaths and injuries;

(5) expresses our gratitude to the people and the Governments of Israel, France, the United Kingdom, Germany, Japan, Australia, and South Africa, as well as the many private organizations which volunteered to assist the United States in the aftermath of the bombings;

(6) expresses our gratitude to United States personnel for their dedication in serving abroad and promoting United States interests and courageously assuming the risks of living and working overseas;

(7) expresses our gratitude to United States Federal and local agencies which assisted in the aftermath of the bombings;

(8) expresses our condemnation of all persons and parties involved in the outrageous and illegal attacks which resulted in the tragic loss of life of so many Americans, Kenyans, Tanzanians, and others;

(9) expresses the determination of the House of Representatives to assist, in any way possible, in the arrest of all persons responsible for these attacks; and

(10) expresses the intention of the House of Representatives to examine whether security needs of United States facilities overseas are being met and what kinds of tools can be employed to discourage nations from harboring terrorists.

The SPEAKER pro tempore, Mrs. EMERSON, recognized Mr. GILMAN and Mr. HASTINGS of Florida, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and agree to said resolution, as amended?

The SPEAKER pro tempore, Mrs. EMERSON, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said resolution, as amended, was agreed to.

A motion to reconsider the vote whereby the rules were suspended and said resolution, as amended, was agreed to was, by unanimous consent, laid on the table.

¶107.52 ALTERNATE DISPUTE RESOLUTION

Mr. COBLE moved to suspend the rules and agree to the following amendments of the Senate to the bill (H.R. 3528) to amend title 28, United States Code, with respect to the use of alternative dispute resolution processes in the United States district courts, and for other purposes:

Page 2, after line 3, insert:

“SEC. 2. FINDINGS AND DECLARATION OF POLICY.

“Congress finds that—

“(1) alternative dispute resolution, when supported by the bench and bar, and utilizing properly trained neutrals in a program adequately administered by the court, has the potential to provide a variety of benefits, including greater satisfaction of the parties, innovative methods of resolving disputes, and greater efficiency in achieving settlements;

“(2) certain forms of alternative dispute resolution, including mediation, early neutral evaluation, minitrials, and voluntary arbitration, may have potential to reduce the large backlog of cases now pending in some federal courts throughout the United States, thereby allowing the courts to process their remaining cases more efficiently; and

“(3) the continued growth of Federal appellate court-annexed mediation programs suggests that this form of alternative dispute resolution can be equally effective in resolving disputes in the federal trial courts; therefore, the district courts should consider including mediation in their local alternative dispute resolution programs.”

Page 2, line 4, strike out “SEC. 2” and insert: “SEC. 3”

Page 2, line 21, strike out “2071(b)” and insert: “2071(a)”

Page 3, line 1, strike out “2071(b)” and insert: “2071(a)”

Page 4, line 5, strike out “SEC. 3” and insert: “SEC. 4”

Page 4, line 13, strike out “2071(b)” and insert: “2071(a)”

Page 5, line 18, strike out “2071(b)” and insert: “2071(a)”

Page 5, line 22, strike out “SEC. 4” and insert: “SEC. 5”

Page 6, line 21, strike out “2071(b)” and insert: “2071(a)”

Page 7, line 1, strike out “SEC. 5” and insert: “SEC. 6”

Page 7, line 7, strike out “subsections (b) and (c)” and insert: “subsections (a), (b), and (c)”

Page 7, line 11, after “it” insert: “when the parties consent”

Page 7, line 24, strike out “2071(b)” and insert: “2071(a)”

Page 8, line 9, strike out “section” and insert: “chapter”

Page 8, line 10, strike out “action” and insert: “program”

Page 8, line 11, strike out “section 906” and insert: “title IX”

Page 8, line 12, strike out “100-102” and insert: “100-702”

Page 8, line 13, strike out “as in effect prior to the date of its repeal” and insert: “as amended by section 1 of Public Law 105-53”

Page 8, line 14, strike out “SEC. 6” and insert: “SEC. 7”

Page 9, line 16, strike out “SEC. 7” and insert: “SEC. 8”

Page 10, line 1, strike out “SEC. 8” and insert: “SEC. 9”

Page 10, line 21, strike out “2071(b)” and insert: “2071(a)”

Page 11, line 22, strike out “SEC. 9” and insert: “SEC. 10”

Page 12, line 10, after “arbitrators” insert: “and other neutrals”

Page 12, line 13, strike out “SEC. 10” and insert: “SEC. 11”

Page 12, line 18, strike out “SEC. 11” and insert: “SEC. 12”

The SPEAKER pro tempore, Mrs. EMERSON, recognized Mr. COBLE and Mr. HASTINGS of Florida, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and agree to said amendments?

The SPEAKER pro tempore, Mrs. EMERSON, announced that two-thirds

of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said amendments of the Senate were agreed to.

A motion to reconsider the vote whereby the rules were suspended and said amendments of the Senate were agreed to was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶107.53 POLICE, FIRE, AND EMERGENCY OFFICERS EDUCATIONAL ASSISTANCE

Mr. COBLE moved to suspend the rules and pass the bill (H.R. 3046) to provide for financial assistance for higher education to the dependents of Federal, State, and local public safety officers who are killed or permanently and totally disabled as the result of a traumatic injury sustained in the line of duty; as amended.

The SPEAKER pro tempore, Mrs. EMERSON, recognized Mr. COBLE and Mr. HASTINGS of Florida, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mrs. EMERSON, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the votes whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶107.54 PUBLIC SAFETY OFFICERS EDUCATIONAL ASSISTANCE

On motion of Mr. COBLE, by unanimous consent, the Committee on the Judiciary was discharged from further consideration of the bill of the Senate (S. 1525) to provide financial assistance for higher education to the dependents of Federal, State, and local public safety officers who are killed or permanently and totally disabled as the result of a traumatic injury sustained in the line of duty.

When said bill was considered, read twice.

Mr. COBLE submitted the following amendment which was agreed to:

Strike out all after the enacting clause and insert the provisions of H.R. 3046, as passed by the House.

When said bill, as amended, was considered, read twice, ordered to be read a third time, was read a third time by title, and passed.

A motion to reconsider the vote whereby the bill, as amended, was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said amendment.

By unanimous consent, H.R. 3046, a similar House bill, was laid on the table.

¶107.55 HOUR OF MEETING

On motion of Mr. COBLE, by unanimous consent,

Ordered, That when the House adjourns today, it adjourn to meet at 2 o'clock p.m. on Sunday, October 11, 1998.

¶107.56 HOUR OF MEETING

On motion of Mr. COBLE, by unanimous consent,

Ordered, That when the House adjourns on Sunday, October 11, 1998, it adjourn to meet at 12:30 p.m. on Monday, October 12, 1998 for "morning-hour debate".

¶107.57 NATIONAL OILHEAT RESEARCH

Mr. Dan SCHAEFER of Colorado, moved to suspend the rules and pass the bill (H.R. 3610) to authorize and facilitate a program to enhance training, research and development, energy conservation and efficiency, and consumer education in the oilheat industry for the benefit of oilheat consumers and the public, and for other purposes; as amended.

The SPEAKER pro tempore, Mrs. EMERSON, recognized Mr. Dan SCHAEFER of Colorado and Mr. HALL of Texas, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mrs. EMERSON, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶107.58 INSPECTOR GENERAL RECOGNITION

Mr. HORN moved to suspend the rules and pass the joint resolution of the Senate (S.J. Res. 58) recognizing the accomplishments of Inspector General since their creation in 1978 in preventing and detecting waste, fraud, abuse, and mismanagement, and in promoting economy, efficiency, and effectiveness in the Federal Government.

The SPEAKER pro tempore, Mrs. EMERSON, recognized Mr. HORN and Ms. NORTON, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said joint resolution?

The SPEAKER pro tempore, Mrs. EMERSON, announced that two-thirds

of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said joint resolution was passed.

A motion to reconsider the vote whereby the rules were suspended and said joint resolution was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶107.59 DISTRICT OF COLUMBIA COURTS AND JUSTICE TECHNICAL CORRECTIONS

Mr. DAVIS of Virginia moved to suspend the rules and pass the bill (H.R. 4566) to make technical and clarifying amendments to the National Capital Revitalization and Self-Government Improvement Act of 1997; as amended.

The SPEAKER pro tempore, Mrs. EMERSON, recognized Mr. DAVIS of Virginia and Ms. NORTON, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mrs. EMERSON, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

By unanimous consent, the title was amended so as to read: "An Act to make technical corrections to the National Capital Revitalization and Self-Government Improvement Act of 1997 with respect to the courts and court system of the District of Columbia."

A motion to reconsider the votes whereby the rules were suspended and said bill, as amended, was passed and the title was amended was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶107.60 RECOGNITION AND HONOR FOR HUNTER SCOTT

Mr. SCARBOROUGH moved to suspend the rules and agree to the following resolution (H. Res. 590); as amended:

Whereas 13-year-old Hunter Scott of Cantonment, Florida, has received international recognition for his efforts to honor the memory of the captain and crew of the U.S.S. INDIANAPOLIS, which sank in the Pacific Ocean during the final days of World War II;

Whereas Hunter Scott has spent the past two years seeking recognition for the crew of the U.S.S. INDIANAPOLIS, many of whom perished as a result of shark attacks and exposure after being stranded in the water for four days;

Whereas Hunter Scott's extensive work is the subject of legislation before this Congress, supported by Democrats and Republicans alike;

Whereas Hunter Scott's work ethic, love of country, and strength of character serve as a shining example to the young people of the United States; and

Whereas Hunter Scott has helped the crew of the U.S.S. INDIANAPOLIS receive inter-

national recognition from the New York Times, USA Today, the Associated Press, CBS, Nickelodeon, and other print and broadcast media: Now, therefore, be it

Resolved, That the House of Representatives recognizes and honors Hunter Scott for his efforts to honor the memory of the captain and crew of the U.S.S. INDIANAPOLIS and for the outstanding example he has set for the young people of the United States.

The SPEAKER pro tempore, Mrs. EMERSON, recognized Mr. SCARBOROUGH and Mr. CUMMINGS, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and agree to said resolution, as amended?

The SPEAKER pro tempore, Mr. BRADY, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said resolution, as amended, was agreed to.

A motion to reconsider the vote whereby the rules were suspended and said resolution, as amended, was agreed to was, by unanimous consent, laid on the table.

¶107.61 SUSPENSION OF THE RULES NOTICE

Mr. SCARBOROUGH, pursuant to House Resolution 575, at 5:55 p.m. announced the Speaker would recognize Members for motions to suspend the rules under clause 2 of rule XXVII with respect to the following bills to be considered today: H.R. 3494, to amend title 18, United States Code, with respect to violent sex crimes against children, and for other purposes; H.R. 3888, to amend the Communications Act of 1934 to improve the protection of consumers against "slamming" by telecommunications carriers, and for other purposes; H.R. 4781, to amend the Federal Election Campaign Act of 1971 to require the national committees of political parties to file pre-general election reports with the Federal Election Commission without regard to whether or not the parties have made contributions or expenditures under such Act during the periods covered by such reports; H.R. 4772, to amend the Federal Election Campaign Act of 1971 to prohibit disbursements of non-Federal funds by foreign nationals in campaigns for election for Federal office; A House Resolution calling on the President to take all necessary measures under existing law to respond to the significant increase of steel imports resulting from the financial crises in Asia, Russia and other Regions and for other purposes; H.R. 1274, to authorize appropriations for the National Institute of Standards and Technology for fiscal years 1998 and 1999, and for other purposes; S. 610, to implement the obligations of the United States under the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction, known as "the Chemical Weapons Convention" and opened for signature and signed by the

United States on January 13, 1993; H.R. 3055, to deem the activities of the Miccosukee Tribe on the Tamiami Indian Reservation to be consistent with the purposes of the Everglades National Park, and for other purposes; S. 1693, to provide for improved management and increased accountability for certain National Park Service programs, and for other purposes; S. 2349, to authorize appropriations for the hazardous materials transportation program, and for other purposes; H.R. 3899, to expand home ownership in the United States; S. 2524, to codify without substantive change laws related to Patriotic and National Observances, Ceremonies, and Organizations and to improve the United States Code; H.R. 2281, to amend title 17, United States Code, to implement the World Intellectual Property Organization Copyright Treaty and Performances and Phonograms Treaty.

¶107.62 WETLANDS AND WILDLIFE
ENHANCEMENT

Mr. YOUNG of Alaska moved to suspend the rules and pass the bill of the Senate (S. 1677) to reauthorize the North American Wetlands Conservation Act and the Partnerships for Wildlife Act; as amended.

The SPEAKER pro tempore, Mr. BRADY, recognized Mr. YOUNG of Alaska and Mr. MILLER of California, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. BRADY, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

By unanimous consent, the title was amended so as to read: "An Act to reauthorize the North American Wetlands Conservation Act and the Partnerships for Wildlife Act, and for other purposes."

A motion to reconsider the votes whereby the rules were suspended and said bill was passed and the title was amended was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶107.63 NATIONAL FISH AND WILDLIFE
FOUNDATION ESTABLISHMENT

Mr. SAXTON moved to suspend the rules and pass the bill of the Senate (S. 2095) to reauthorize and amend the National Fish and Wildlife Foundation Establishment Act; as amended.

The SPEAKER pro tempore, Mr. BRADY, recognized Mr. SAXTON and Mr. MILLER of California, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. BRADY, announced that two-thirds of

the Members present had voted in the affirmative.

Mr. MILLER of California objected to the vote on the ground that a quorum was not present and not voting.

The SPEAKER pro tempore, Mr. BRADY, pursuant to clause 5, rule I, announced that further proceedings on the motion were postponed until Monday, October 12, 1998 pursuant to the prior announcement of the Chair.

The point of no quorum was considered as withdrawn.

¶107.64 MISSISSIPPI SIOUX TRIBES
JUDGMENT FUND

Mr. SAXTON moved to suspend the rules and pass the bill of the Senate (S. 391) to provide for the disposition of certain funds appropriated to pay judgment in favor of the Mississippi Sioux Indians, and for other purposes; as amended.

The SPEAKER pro tempore, Mr. BRADY, recognized Mr. SAXTON and Mr. MILLER of California, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. BRADY, announced that two-thirds of the Members present had voted in the affirmative.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶107.65 SENATE BILLS AND CONCURRENT
RESOLUTION REFERRED

Bills and a joint resolution of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 1752. An Act to authorize the Secretary of Agriculture to convey certain administrative sites and use the proceeds for the acquisition of office sites and the acquisition, construction, or improvement of offices and support buildings for the Coconino National Forest, Kaibab National Forest, Prescott National Forest, and Tonto National Forest in the State of Arizona; to the Committee on Resources.

S. 2087. An Act to authorize the Secretary of the Interior to convey certain works, facilities, and titles of the Gila Project, and designated lands within or adjacent to the Gila Project, to the Wellton-Mohawk Irrigation and Drainage District, and for other purposes; to the Committee on Resources.

S. 2133. An Act to preserve the cultural resources of the Route 66 corridor and to authorize the Secretary of the Interior to provide assistance; to the Committee on Resources.

S. 2401. An Act to authorize the addition of the Paoli Battlefield site in Malvern, Pennsylvania, to Valley Forge National Historical Park; to the Committee on Resources.

S. 2402. An Act to direct the Secretaries of Agriculture and Interior to convey certain lands in San Juan County, New Mexico, to San Juan College; to the Committee on Resources.

S. 2500. An Act to protect the sanctity of contracts and leases entered into by surface

patent holders with respect to coalbed methane gas; to the Committee on Resources.

S. Con. Res. 83. A concurrent resolution remembering the life of George Washington and his contributions to the Nation; to the Committee on Government Reform and Oversight.

¶107.66 ENROLLED JOINT RESOLUTION
SIGNED

Mr. THOMAS, from the Committee on House Oversight, reported that that committee had examined and found truly enrolled joint resolution of the House of the following title, which was thereupon signed by the Speaker:

H.J. Res. 131. Waiving certain enrollment requirements for the remainder of the One Hundred Fifth Congress with respect to any bill or joint resolution making general or continuing appropriations for fiscal year 1999.

And then,

¶107.67 ADJOURNMENT

On motion of Mr. GIBBONS, pursuant to the special order heretofore agreed to, at 6 o'clock and 38 minutes p.m., the House adjourned until 2 o'clock p.m. on Sunday, October 11, 1998.

¶107.68 REPORTS OF COMMITTEES ON
PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. SAXTON: Report of the Joint Economic Committee on the 1998 Economic Report of the President (Rept. No. 105-807). Referred to the Committee of the Whole House on the State of the Union.

Mr. HYDE: Committee on the Judiciary. H.R. 3529. A bill to establish a national policy against State and local interference with interstate commerce on the Internet or on-line services, and to exercise congressional jurisdiction over interstate commerce by establishing a moratorium on the imposition of exactions that would interfere with the free flow of commerce via the Internet, and for other purposes; with an amendment (Rept. No. 105-808 Pt. 1). Referred to the Committee of the Whole House on the State of the Union.

Mr. BURTON: Committee on Government Reform and Oversight. H.R. 2526. A bill to amend title 5, United States Code, to make the percentage limitations on individual contributions to the Thrift Savings Plan more consistent with the dollar amount limitation on elective deferrals, and for other purposes (Rept. No. 105-809). Referred to the Committee of the Whole House on the State of the Union.

¶107.69 TIME LIMITATION OF REFERRED
BILL

Pursuant to clause 5 of rule X the following action was taken by the Speaker:

H.R. 3529. Referral to the Committees on Rules and Ways and Means extended for a period ending not later than October 10, 1998.

¶107.70 DISCHARGE OF COMMITTEE

Pursuant to clause 5 of rule X the Committees on Rules and Ways and Means discharged from further consideration. H.R. 3529 referred to the Committee of the Whole House on the State of the Union.

¶107.71 PUBLIC BILLS AND RESOLUTIONS

Under clause 5 of Rule X and clause 4 of Rule XXII, public bills and resolutions were introduced and severally referred, as follows:

By Mr. HYDE (for himself and Mr. MORAN of Virginia):

H.R. 4785. A bill to provide for relief from excessive punitive damage awards in cases involving primarily financial loss by establishing rules for proportionality between the amount of punitive damages and the amount of economic loss; to the Committee on the Judiciary.

By Mr. GEKAS:

H.R. 4786. A bill to amend the Federal Election Campaign Act of 1971 to require the deposit of certain contributions and donations to be returned to donors in a special account, and for other purposes; to the Committee on House Oversight.

By Mr. RUSH (for himself, Mr. DAVIS of Illinois, Mr. FAWELL, Mr. JACKSON of Illinois, Mr. LIPINSKI, Mr. PORTER, Mr. POSHARD, Mr. WELLER, Mr. GUTIERREZ, Mr. SHIMKUS, and Mr. YATES):

H.R. 4787. A bill to designate the facility of the United States Postal Service at 7748 South Cottage Grove Avenue in Chicago, Illinois, as the "John H. Sengstacke Post Office Building"; to the Committee on Government Reform and Oversight.

By Mr. LAFALCE:

H.R. 4788. A bill to amend the Consumer Credit Protection Act to enhance the advertising of the terms and costs of consumer automobile leases, to permit consumer comparison of advertised lease offerings, and for other purposes; to the Committee on Banking and Financial Services.

By Mr. WELLER (for himself and Mr. NEY):

H.R. 4789. A bill to require criminal and abusive work history background checks for direct care employees in nursing facilities, home health agencies, and hospice programs under the Medicare and Medicaid Programs, and for other purposes; to the Committee on Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. REDMOND:

H.R. 4790. A bill to amend the Federal Election Campaign Act of 1971 to ban the acceptance of cash contributions greater than \$100 in campaigns for election for Federal office; to the Committee on House Oversight.

By Mr. BARTON of Texas:

H.R. 4791. A bill to establish rules for the payment of damage awards for future losses in certain health care liability actions; to the Committee on the Judiciary.

By Mr. BLILEY:

H.R. 4792. A bill to improve the adoption system of the District of Columbia; to the Committee on Government Reform and Oversight.

By Mr. BLILEY (for himself and Mr. OBERSTAR):

H.R. 4793. A bill to amend title 5, United States Code, to allow Federal agencies to reimburse their employees for certain adoption expenses; to the Committee on Government Reform and Oversight.

By Mr. CRAMER:

H.R. 4794. A bill to provide for substantial reductions in the price of prescription drugs for Medicare beneficiaries; to the Committee on Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CRANE (for himself, Mrs. JOHNSON of Connecticut, Mrs. KENNELLY of Connecticut, Mr. RAMSTAD, and Mr. WELLER):

H.R. 4795. A bill to amend the Internal Revenue Code of 1986 to permit the consolidation of life insurance companies with other companies; to the Committee on Ways and Means.

By Mr. ENSIGN:

H.R. 4796. A bill to amend the Housing and Community Development Act of 1974 to prohibit the use of funds for any facility a primary purpose of which is the distribution or use of tobacco products; to the Committee on Banking and Financial Services.

By Mr. GOSS:

H.R. 4797. A bill to amend the Coastal Zone Management Act of 1972 to require that a State having an approved coastal zone management program must be provided a copy of an environmental impact statement to enable its review under that Act of any plan for exploration or development of, or production from, any area in the coastal zone of the State; to the Committee on Resources.

By Mr. KUCINICH:

H.R. 4798. A bill to provide for the restructuring of the electric power industry; to the Committee on Commerce.

By Mr. PALLONE:

H.R. 4799. A bill to amend title XVIII of the Social Security Act and the Employee Retirement Income Security Act of 1974 to improve access to health insurance and Medicare benefits for individuals ages 55 to 65 to be fully funded through premiums and anti-fraud provisions, to amend title XIX of the Social Security Act to provide financial assistance for those individuals who are too poor to afford the premiums, and for other purposes; to the Committee on Ways and Means, and in addition to the Committees on Commerce, and Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. PASCRELL (for himself and Mr. GREENWOOD):

H.R. 4800. A bill to amend the Public Health Service Act to provide for the establishment of a national program of traumatic brain injury and spinal cord injury registries; to the Committee on Commerce.

By Mr. TAUZIN (for himself, Mr. DINGELL, Mr. OXLEY, Mr. BOUCHER, Mr. ROGAN, Mr. BONIOR, Mr. GOODLATTE, Mr. KLINK, Mr. HASTERT, Mr. WYNN, and Mr. BURR of North Carolina):

H.R. 4801. A bill to ensure the restoration and preservation of State authority over intrastate telecommunications; to the Committee on Commerce.

By Mr. TAUZIN:

H.R. 4802. A bill to ensure that digital data services are made widely available to the American people; to the Committee on Commerce.

By Mr. TAUZIN:

H.R. 4803. A bill to authorize electronic issuance and recognition of migratory bird hunting and conservation stamps; to the Committee on Resources.

By Mr. TOWNS:

H.R. 4804. A bill to amend titles XI, XVIII, and XIX of the Social Security Act to permit paid staff other than nurse aides and licensed health professionals to provide feeding and hydration assistance to residents in nursing facilities participating in the Medicare and Medicaid Programs and to provide special training requirements for such staff, and to establish a program to ensure that such facilities do not employ individuals who have a history of patient or resident abuse or have been convicted of certain crimes; to the Committee on Commerce, and in addition to the Committee on Ways and Means, for a pe-

riod to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SMITH of Michigan (for himself and Mr. PETERSON of Minnesota):

H. Con. Res. 348. Concurrent resolution urging the President and Chile to engage in negotiations to conclude a free trade agreement between the United States and Chile, in the absence of fast track authority; to the Committee on Ways and Means.

By Mr. TOWNS:

H. Con. Res. 349. Concurrent resolution expressing the sense of Congress that the United States strongly supports any assistance that can be provided to the Government and people of Turkmenistan to build pipelines or take any other measures that will lead to the resumption of natural gas exports; to the Committee on International Relations.

By Mr. STUMP:

H. Res. 592. A resolution providing for the concurrence by the House with amendments in the Senate amendment to H.R. 4110; considered and agreed to.

By Mr. BLILEY (for himself and Mr. OBERSTAR):

H. Res. 593. A resolution permitting payments to be made by the House of Representatives to reimburse Members, officers, and employees for qualified adoption expenses; to the Committee on House Oversight.

¶107.72 ADDITIONAL SPONSORS

Under clause 4 of rule XXII, sponsors were added to public bills and resolutions as follows:

H.R. 158: Mr. JOHN.
H.R. 326: Mr. BALLENGER.
H.R. 900: Mr. CUMMINGS, Mr. STRICKLAND, Mr. BRADY of Pennsylvania, Ms. MILLENDER-MCDONALD, and Ms. HARMAN.
H.R. 1126: Mr. PORTMAN.
H.R. 1215: Mr. BURR of North Carolina.
H.R. 1525: Mr. PETERSON of Minnesota and Mr. TURNER.
H.R. 2275: Ms. SLAUGHTER.
H.R. 2333: Mr. METCALF.
H.R. 2346: Mrs. MYRICK, Mr. NEY, and Mr. SANDLIN.
H.R. 2708: Mr. KIND of Wisconsin and Mr. REDMOND.
H.R. 2754: Ms. MILLENDER-MCDONALD and Mr. GEJDENSON.
H.R. 3157: Mr. ADERHOLT.
H.R. 3514: Mr. PASTOR.
H.R. 3634: Mr. SHIMKUS and Mr. BURR of North Carolina.
H.R. 3780: Mr. NEAL of Massachusetts, Ms. DUNN of Washington, Mr. SHAW, and Mr. HULSHOF.
H.R. 3792: Mrs. MYRICK, Mr. LOBIONDO, and Mr. LIPINSKI.
H.R. 3855: Mr. YATES.
H.R. 3899: Mr. DOYLE, Mr. CASTLE, Mr. BOUCHER, and Mr. DAVIS of Florida.
H.R. 3949: Mr. STUPAK.
H.R. 4358: Mr. SCHUMER.
H.R. 4383: Mr. HASTERT.
H.R. 4477: Mr. NEY, Ms. SLAUGHTER, Mr. SERRANO, Mr. POMEROY, Mrs. MORELLA, Ms. FURSE, and Ms. PELOSI.
H.R. 4552: Mr. REYES.
H.R. 4609: Mr. HOBSON and Mrs. ROUKEMA.
H.R. 4627: Ms. CARSON, Ms. DELAURO, and Mr. GEJDENSON.
H.R. 4646: Ms. MILLENDER-MCDONALD, Ms. DELAURO, and Mr. SANDERS.
H.R. 4654: Ms. SLAUGHTER.
H.R. 4674: Mrs. CAPPS, Mr. VISCLOSKEY, and Mr. BALDACCII.
H.R. 4675: Mr. LEWIS of California.
H.R. 4683: Mrs. WILSON and Ms. DUNN of Washington.
H.R. 4689: Mr. MASCARA, Mr. NEAL of Massachusetts, Mr. MCHUGH, Mr. WAXMAN, Mr. LATHAM, Mr. HAYWORTH, and Mr. BOEHLERT.

H. Con. Res. 126: Mrs. FOWLER and Mr. SPRATT.

H. Con. Res. 258: Mr. BRADY of Pennsylvania.

H. Con. Res. 328: Mr. LAHOOD and Mr. METCALF.

H. Res. 519: Mr. HOEKSTRA.

¶107.73 DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, sponsors were deleted from public bills and resolutions as follows:

H.R. 859: Mr. HALL of Texas.

H.R. 3014: Ms. WATERS.

SUNDAY, OCTOBER 11, 1998 (108)

¶108.1 DESIGNATION OF SPEAKER PRO TEMPORE

The House was called to order by the SPEAKER pro tempore, Mr. BRADY, who laid before the House the following communication:

WASHINGTON, DC,
October 11, 1998.

I hereby designate the Honorable KEVIN BRADY to act as Speaker pro tempore on this day.

NEWT GINGRICH,
Speaker of the House of Representatives.

¶108.2 APPROVAL OF THE JOURNAL

The SPEAKER pro tempore, Mr. BRADY, announced he had examined and approved the Journal of the proceedings of Saturday, October 10, 1998.

Pursuant to clause 1, rule I, the Journal was approved.

¶108.3 BILLS AND JOINT RESOLUTION PRESENTED TO THE PRESIDENT

Mr. THOMAS, from the Committee on House Oversight, reported that that committee did on the following dates present to the President, for his approval, bills and a joint resolution of the House of the following titles:

On October 10, 1998:

H.R. 3694. To authorize appropriations for fiscal year 1999 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes.

H.R. 3790. To require the Secretary of the Treasury to mint coins in commemoration of the bicentennial of the Library of Congress.

H.R. 4248. To authorize the use of receipts from the sale of the Migratory Bird Hunting and Conservation Stamps to promote additional stamp purchases.

H.R. 4194. Making appropriations for the Departments of Veterans Affairs and Housing and Urban Development, and for sundry independent agencies, boards, commissions, corporations, and offices for the fiscal year ending September 30, 1999, and for other purposes.

On October 9, 1998:

H.J. Res. 133. Making further continuing appropriations for the fiscal year 1999, and for other purposes.

And then,

¶108.4 ADJOURNMENT

On motion of Mr. SCARBOROUGH, pursuant to the special order agreed to on October 10, 1998, at 8 o'clock and 30 minutes p.m., the House adjourned until 12:30 p.m. on Monday, October 12, 1998, for "morning-hour debate".

¶108.5 PUBLIC BILLS AND RESOLUTIONS

Under clause 5 of Rule X and clause 4 of Rule XXII, public bills and resolutions were introduced and severally referred, as follows:

By Mr. SMITH of New Jersey:

H.R. 4805. A bill to require reports on travel of Executive branch officers and employees to international conferences, and for other purposes; to the Committee on International Relations.

By Mr. POMEROY:

H.R. 4806. A bill to authorize the carrying out of a flood damage reduction and recreation project at Grand Forks, North Dakota, and East Grand Forks, Minnesota; to the Committee on Transportation and Infrastructure.

¶108.6 ADDITIONAL SPONSORS

Under clause 4 of rule XXII, sponsors were added to public bills and resolutions as follows:

H.R. 3710: Mr. FOX of Pennsylvania.

H.R. 4065: Mr. CALVERT.

MONDAY, OCTOBER 12, 1998 (109)

¶109.1 DESIGNATION OF SPEAKER PRO TEMPORE

The House was called to order at 12:30 p.m. by the SPEAKER pro tempore, Mr. PEASE, who laid before the House the following communication:

Washington, DC,

October 12, 1998.

I hereby designate the Honorable EDWARD A. PEASE to act as Speaker pro tempore on this day.

NEWT GINGRICH,
Speaker of the House of Representatives.

Whereupon, pursuant to the order of the House of Tuesday, January 21, 1997, Members were recognized for "morning-hour debate".

¶109.2 RECESS—12:47 P.M.

The SPEAKER pro tempore, Mr. PEASE, pursuant to clause 12 of rule I, declared the House in recess until 2 o'clock p.m.

¶109.3 AFTER RECESS—2:00 P.M.

The SPEAKER called the House to order.

¶109.4 APPROVAL OF THE JOURNAL

The SPEAKER announced he had examined and approved the Journal of the proceedings of Sunday, October 11, 1998.

Pursuant to clause 1, rule I, the Journal was approved.

¶109.5 COMMUNICATIONS

Executive and other communications, pursuant to clause 2, rule XXIV, were referred as follows:

[Executive Communications Re-Referred: E10321, E10322]

10321. A letter from the Administrator, Agricultural Marketing Service, Department of Agriculture, transmitting the Department's final rule—Irish Potatoes Grown in Colorado; Decreased Assessment Rate [Docket No. FV98-948-1 IFR] Received July 23, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); referred to the Committee on Agriculture, July 27, 1998.

10322. A letter from the Administrator, Agricultural Marketing Service, Department of

Agriculture, transmitting the Department's final rule—Fresh Bartlett Pears Grown in Oregon and Washington; Decreased Assessment Rate [Docket No. FV98-931-1 IFR] Received July 23, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); referred to the Committee on Agriculture, July 27, 1998.

11651. A letter from the Administrator, Rural Development, Department of Agriculture, transmitting the Department's final rule—Long-Range Financial Forecasts of Electric Borrowers (RIN: 0572-AA89) received October 8, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

11652. A letter from the Administrator, Rural Development, Department of Agriculture, transmitting the Department's final rule—Year 2000 Compliance: Electric Program [7 CFR Parts 1710 and 1726] received October 8, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

11653. A letter from the Chairman, the Board of Governors of the Federal Reserve System, transmitting the ninth annual report on the assessment of the Profitability of Credit Card Operations of Depository Institutions, pursuant to 15 U.S.C. 1637; to the Committee on Banking and Financial Services.

11654. A letter from the Clerk, District of Columbia Circuit, United States Court of Appeals, transmitting an opinion of the United States Court of Appeals for the District of Columbia Circuit, No. 97-1250—Larry Hice v. Director, Office of Worker's Compensation Programs, United States Department of Labor and Electrospace Systems, Inc.; to the Committee on Education and the Workforce.

11655. A letter from the Director, Office of Rulemaking Coordination, Department of Energy, transmitting the Department's final rule—Energy Conservation Program for Consumer Products; Energy Conservation Standards for Electric Cooking Products (Electric Cooktops, Electric Self-Cleaning-Ovens, and Microwave Ovens) [Docket Number EE-RM-S-97-700] (RIN: 1904-AA84) received October 8, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

11656. A letter from the Director, Office of Rulemaking Coordination, Department of Energy, transmitting the Department's final rule—Personnel Assurance Program (RIN: 1992-AA14) [Docket No. DP-RM-97-100] received October 8, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

11657. A letter from the Director, Office of Rulemaking Coordination, Department of Energy, transmitting the Department's final rule—Price Competitive Sale of Strategic Petroleum Reserve Petroleum; Standard Sales Provisions (RIN Number: 1901-AA81) received October 8, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

11658. A letter from the Chairman, Federal Communications Commission, transmitting the Commission's Third Annual Report and Analysis on Competitive Market Conditions With Respect to Commercial Mobile Services, pursuant to 47 U.S.C. 332(c)(1)(C); to the Committee on Commerce.

11659. A letter from the Chairman, Nuclear Regulatory Commission, transmitting The Price-Anderson Act-Crossing the Bridge to the Next Century: A Report to Congress; to the Committee on Commerce.

11660. A letter from the Acting Director, Defense Security Agency, transmitting notification concerning the Department of the Air Force's proposed Letter(s) of Offer and Acceptance (LOA) to Greece for defense articles and services (Transmittal No. 98-47), pursuant to 22 U.S.C. 2776(b); to the Committee on International Relations.

11661. A letter from the Acting Director, Defense Security Assistance Agency, transmitting notification concerning the Depart-